UNITED NATIONS **S**

Security Council

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GENERAL

S/1995/153
27 February 1995

ORIGINAL: ENGLISH

United States of America: draft resolution

The Security Council,

Recalling all its previous resolutions on the situation in Rwanda, in particular its resolutions 935 (1994) and 955 (1994),

Expressing once again its grave concern at the reports indicating that genocide and other systematic, widespread and flagrant violations of international humanitarian law have been committed in Rwanda,

Noting that these reports were confirmed in the final report of the Commission of Experts submitted pursuant to resolution 935 (1994) (S/1994/1405, annex),

Recalling the obligations contained in resolution 955 (1994), which created the International Tribunal for Rwanda,

Concerned by the conditions in the refugee camps outside Rwanda, including reports of violence directed against refugees who voluntarily wish to return to Rwanda,

Determined to put an end to violations of international humanitarian law and serious acts of violence directed against refugees, and that effective measures be taken to bring to justice the persons who are responsible for such crimes,

Noting the reports of the Secretary-General on security in the Rwandese refugee camps of 18 November 1994 (S/1994/1308) and 25 January 1995 (S/1995/65),

Welcoming the report of the Secretary-General (S/1995/134) dated 13 February 1995 and stressing the importance of taking all measures for the early and effective functioning of the International Tribunal for Rwanda,

Stressing the need for States to take as soon as possible any measures necessary under their domestic law to implement the provisions of resolution 955 (1994) and of the Statute of the International Tribunal for Rwanda,

1. Urges States to arrest and detain, in accordance with their national law and relevant standards of international law, pending prosecution by the International Tribunal for Rwanda or by the appropriate national authorities, persons found within their territory against whom there is sufficient evidence that they were responsible for acts within the jurisdiction of the International Tribunal for Rwanda;

2. Urges States who detain persons referred to in paragraph 1 above to inform the Secretary-General and the Prosecutor of the International Tribunal for Rwanda of the identity of the persons detained, the nature of the crimes believed to have been committed, the evidence providing probable cause for the detentions, the date when the persons were detained and the place of detention;

3. Urges States who detain such persons to cooperate with representatives of the International Committee of the Red Cross, as well as investigators for the International Tribunal for Rwanda, in order to secure unimpeded access to those persons;

4. Condemns all attacks against persons in the refugee camps near the borders of Rwanda, demands that such attacks immediately cease, and calls upon States to take appropriate steps to prevent such attacks;

5. Urges States, on whose territory serious acts of violence in the refugee camps have taken place, to arrest and detain, in accordance with their national law and relevant standards of international law, and submit to the appropriate authorities for the purpose of prosecution persons against whom there is sufficient evidence that they have incited or participated in such acts and further urges the States concerned to keep the Secretary-General informed of the measures they have taken to this effect;

6. Decides to remain actively seized of the matter.

UNITED
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General Assembly
Security Council

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S/1995/154
23 February 1995
ENGLISH
ORIGINAL: SPANISH

GENERAL ASSEMBLY
Forty-ninth session
Agenda item 74
PROTECTION AND SECURITY OF SMALL STATES

SECURITY COUNCIL
Fiftieth year

Letter dated 23 February 1995 from the Permanent Representative of Ecuador to the United Nations addressed to the Secretary-General

I have the honour to inform you that the Government of Ecuador has requested an urgent meeting of the Permanent Council of the Organization of American States for today in view of the latest flagrant violations by Peru of the cease-fire agreement established by the Itamaraty Peace Accord of 17 February 1995. These violations have taken the form of military attacks, directed especially at Tiwinza base, at a time when members of an advanced mission of the Guarantor Countries of the Rio de Janeiro Protocol were in the area.

Peru has used the days following the signing of the Itamaraty Peace Accord to regroup and strengthen its military contingents in the combat zone and has launched attacks more intensive even than those which preceded the cease-fire. It has even used chemical and other weapons which are banned because of their indiscriminate and inhumane effects.

I should like to suggest that you ask the Permanent Representatives of the Guarantor Countries of the Rio de Janeiro Protocol, Argentina, Brazil, Chile and the United States of America, for more information about this violation of the Peace Accord.

For your information I enclose a copy of the press release issued yesterday by the Ministry of Foreign Affairs of Ecuador.

I should be grateful if you would have this letter and its annex distributed as a document of the General Assembly, under agenda item 74, and of the Security Council.

(Signed) Luis VALENCIA RODRIGUEZ
Permanent Representative

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Annex

PRESS RELEASE

The Ministry of Foreign Affairs today denounced further flagrant violations by Peru of the cease-fire agreement established in the Itamaraty Peace Accord signed on 17 February 1995.

Today, Peruvian patrols that have infiltrated the Tiwintza base sector continued their attacks, this time using mortar fire; this creates a serious risk that hostilities may resume at the same level of intensity as had been reached prior to the signing of the Accord.

The latest Peruvian attacks are all the more serious in that they are occurring when members of the advance mission from the Guarantor countries are in the sector. These hostile actions are clearly intended to impede the mission's work; they are seriously endangering the mission's safety and are seriously jeopardizing implementation of the commitments assumed in Brasilia.

As the Ministry of Foreign Affairs informed the press yesterday, Ecuador has provided members of the advance mission with every facility in order to enable them to carry out their assignment. In order to guarantee the mission's safety, yesterday the Ministry notified the Peruvian Government officially, through our embassy in Lima, of the mission's visit and indicated the proposed itinerary; it even indicated what markings would be on the two helicopters that would be taking the mission to the area of conflict. The Foreign Ministry of Peru adopted an unusual and baffling attitude; it returned the note in question to the Ecuadorian Ambassador, Gustavo Ruales, claiming that the notification should have come from the guarantors, and completely disregarded the safety of the said observers. All this highlights Peru's rash refusal to comply with the most elementary obligations of the Accord of 17 February.

Given the seriousness of these events, the Minister for Foreign Affairs this morning called the Ambassadors of the Guarantor Countries to his office to hand them the original of an official note - which had been sent directly by fax - addressed to the Foreign Ministers of Argentina, Brazil and Chile and to the United States Secretary of State. In it, the Ecuadorian Government denounces Peru's attitude, which may be part of a plan to stave off the visit by the military observers and prevent verification of the implementation of the cease-fire agreed upon in Brasilia.

Today, just after the advance mission of observers left Coangos, Peruvian forces unleashed a massive attack on the position at Tiwintza, thereby emphasizing that we are dealing not with a simple violation of the cease-fire but with a demonstration of complete disregard for the Peace Accord; this greatly complicates the subsequent processes aimed at pacification of the area.

The Foreign Minister informed the Ambassadors that Ecuadorian forces are maintaining their positions and are limiting their action to defending themselves from the Peruvian attacks. He reiterated that the Ecuadorian Government has taken the necessary steps to guarantee the safety of the

observers, and he urged the Guarantor Countries to demand that the Government of Peru comply promptly with the cease-fire, that being the first step under the Accord.

Lastly, Foreign Minister Gallo Leoro informed them that the Observer Mission would have to commence its work earlier than the scheduled date of 8 March in order to prevent further bloodshed resulting from the continuous attacks by Peru, and in order to prevent the Peruvian patrols that were infiltrating into the zone from taking advantage of the situation and consolidating their position in the area of conflict.

The Ministry of Foreign Affairs further stated that the Secretary General of the Ministry had summoned the Chargé d'affaires of Peru to his office this afternoon and had handed him a note in which the Ecuadorian Government protested in the strongest terms the recent attacks by Peru which constitute a flagrant violation of the commitment established in the Itamaraty Peace Declaration. The Deputy Foreign Minister of Ecuador reminded the Peruvian diplomat that the facilities and broad cooperation provided by Ecuador to the Observer Mission contrasted with the aggressiveness demonstrated to the Mission by the Armed Forces of Peru. Finally, he reiterated that the Peruvian Government must faithfully comply with the commitments it had assumed in Brasilia, in order for peace to be restored between the two countries and in order to return to the climate of friendship and understanding necessary for them to find a way, once and for all, out of the deadlock.

Quito, 22 February 1995

UNITED
NATIONS

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Security Council

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23 February 1995
ENGLISH
ORIGINAL: ARABIC

LETTER DATED 23 FEBRUARY 1995 FROM THE PERMANENT REPRESENTATIVE OF IRAQ TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

On instructions from my Government, I have the honour to inform you that the violations of Iraqi national airspace committed by United States aircraft in order to cause provocation and break the sound barrier continued over the period 11-20 February 1995.

11 February 1995

(a) Northern region: 13 sorties, flown at speeds of 600 to 900 kilometres per hour and at medium altitudes, centred over Mosul, Irbil, Dohuk, Tall Afar, Zakho and Amadiyah.

(b) Southern region: 86 sorties, flown at speeds of 600 to 900 kilometres per hour and at medium altitudes, centred over Nasiriyah, Basra, Samawah, Amarah, Salman and Ushbayjah.

On 11 February 1995, two United States TR-1 reconnaissance aircraft flying at speeds of 600 kilometres per hour and at altitudes of 20,000 metres violated Iraqi airspace in areas in the south of the country, one at 1104 hours and the other at 1423 hours. They left in the direction of Kuwait at 1226 and 1530 hours respectively.

At 1305 hours on 11 February 1995, hostile aircraft flying at low altitudes broke the sound barrier over the complex belonging to the State Enterprise for the Petrochemical Industries in Basra Governorate. Physical damage was caused by the strong shock waves produced.

At 1230 hours on 11 February 1995, hostile aircraft dropped 10 heat flares in the Ninawa Governorate.

12 February 1995

Southern region: 73 sorties, flown at speeds of 600 to 900 kilometres per hour and at medium altitudes, centred over Nasiriyah, Samawah, Salman, Amarah, Qurnah, Jalibah and Busayyah.

On 12 February 1995, two United States TR-1 reconnaissance aircraft flying at speeds of 600 kilometres per hour and at altitudes of 20,000 metres violated Iraqi airspace in areas in the south of the country, one at 1205 hours and the other at 1430 hours. They left in the direction of Kuwait at 1250 and 1507 hours respectively.

At 2020 hours on 12 February 1995, a hostile aircraft dropped one heat flare on the city of Samawah in Muthanna Governorate.

13 February 1995

(a) Northern region: 19 sorties, flown at speeds of 600 to 900 kilometres per hour and at medium altitudes, centred over Mosul, Irbil, Dohuk, Aqrah, Amadiyah, Zakho and Ayn Zalah.

(b) Southern region: 72 sorties, flown at speeds of 600 to 900 kilometres per hour and at medium altitudes, centred over Basra, Nasiriyah, Samawah, Amarah, Qurnah, Busayyah and Artawi.

On 13 February 1995, two United States TR-1 reconnaissance aircraft flying at speeds of 600 kilometres per hour and at altitudes of 20,000 metres violated Iraqi airspace in areas in the south of the country, one at 1125 hours and the other at 1350 hours. They left in the direction of Kuwait at 1220 and 1552 hours respectively.

14 February 1995

(a) Northern region: 27 sorties, flown at speeds of 600 to 900 kilometres per hour and at medium altitudes, centred over Dohuk, Irbil, Tall Afar, Zakho, Amadiyah and Ayn Zalah.

(b) Southern region: 61 sorties, flown at speeds of 600 to 900 kilometres per hour and at medium altitudes, centred over Nasiriyah, Samawah, Artawi, Jalibah and Chabaish.

On 14 February 1995, two United States TR-1 reconnaissance aircraft flying at speeds of 600 kilometres per hour and at altitudes of 20,000 metres violated Iraqi airspace in areas in the south of the country, one at 1155 hours and the other at 1425 hours. They left in the direction of Kuwait at 1235 and 1457 hours respectively.

15 February 1995

(a) Northern region: 9 sorties, flown at speeds of 600 to 900 kilometres per hour and at medium altitudes, centred over Mosul, Irbil, Dohuk, Tall Afar, Amadiyah and Ayn Zalah.

(b) Southern region: 56 sorties, flown at speeds of 600 to 900 kilometres per hour and at medium altitudes, centred over Nasiriyah, Samawah, Basra, Qurnah, Jalibah, Artawi and Busayyah.

At 1125 hours on 15 February 1995, a United States TR-1 reconnaissance aircraft flying at a speed of 600 kilometres per hour and at an altitude of 20,000 metres violated Iraqi airspace in areas in the south of the country. It left in the direction of Kuwait at 1235 hours.

16 February 1995

(a) Northern region: 18 sorties, flown at speeds of 600 to 900 kilometres per hour and at medium altitudes, centred over Mosul, Irbil, Dohuk, Aqrah, Tall Afar, Amadiyah and Ayn Zalah.

(b) Southern region: 61 sorties, flown at speeds of 600 to 900 kilometres per hour and at medium altitudes, centred over Nasiriyah, Basra, Amarah, Samawah, Qal'at Salih, the area to the south of Diwaniyah, Qal'at Sukkar, Salman, Busayyah and Jalibah.

On 16 February 1995, two United States TR-1 reconnaissance aircraft flying at speeds of 600 kilometres per hour and at altitudes of 20,000 metres violated Iraqi airspace in areas in the south of the country, one at 1132 hours and the other at 1418 hours. They left in the direction of Kuwait at 1238 and 1500 hours respectively.

At 1647 hours on 16 February 1995, a hostile formation broke the sound barrier over the city of Nasiriyah.

17 February 1995

(a) Northern region: 20 sorties, flown at speeds of 600 to 900 kilometres per hour and at medium altitudes, centred over Mosul, Irbil Dohuk, Tall Afar, Zakho and Amadiyah.

(b) Southern region: 70 sorties, flown at speeds of 600 to 900 kilometres per hour and at medium altitudes, centred over Nasiriyah, Basra, Samawah, Chabaish, Amarah and Khidr.

At 1100 hours on 17 February 1995, aggressor aircraft dropped two heat flares in the Fa'idah area of Ninawa Governorate.

18 February 1995

(a) Northern region: 13 sorties, flown at speeds of 600 to 900 kilometres per hour and at medium altitudes, centred over Mosul, Irbil, Tall Afar, Dohuk, Amadiyah and Ayn Zalah.

(b) Southern region: 72 sorties, flown at speeds of 600 to 900 kilometres per hour and at medium altitudes, centred over Basra, Nasiriyah, Samawah, Salman, Jalibah and Artawi.

On 18 February 1995, two United States TR-1 reconnaissance aircraft flying at speeds of 600 kilometres per hour and at altitudes of 20,000 metres violated Iraqi airspace in areas in the south of the country, one at 1130 hours and the

other at 1445 hours. They left in the direction of Kuwait at 1225 and 1552 hours respectively.

19 February 1995

Southern region: 69 sorties, flown at speeds of 600 to 900 kilometres per hour and at medium altitudes, centred over Nasiriyah, Salman, Samawah, Amarah, Chabaish, Jalibah, Qurnah, Shanafiyah, Artawi and Qal'at Salih.

On 19 February 1995, two United States TR-1 reconnaissance aircraft flying at speeds of 600 kilometres per hour and at altitudes of 20,000 metres violated Iraqi airspace in areas in the south of the country, one at 1028 hours and the other at 1440 hours. They left in the direction of Kuwait at 1225 and 1550 hours respectively.

20 February 1995

Southern region: 74 sorties, flown at speeds of 600 to 900 kilometres per hour and at medium altitudes, centred over Basra, Nasiriyah, Qurnah, Samawah, Chabaish and Amarah.

On 20 February 1995, two United States TR-1 reconnaissance aircraft flying at speeds of 600 kilometres per hour and at altitudes of 20,000 metres violated Iraqi airspace in areas in the south of the country, one at 1105 hours and the other at 1412 hours. They left in the direction of Kuwait at 1320 and 1615 hours respectively.

I should be grateful if you would have this letter circulated as a document of the Security Council.

(Signed) Nizar HAMDOON
Ambassador
Permanent Representative

UNITED
NATIONS

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Security Council

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GENERAL

S/1995/156
24 February 1995

ORIGINAL: ENGLISH

LETTER DATED 23 FEBRUARY 1995 FROM THE DEPUTY PERMANENT REPRESENTATIVE OF THE UNITED STATES OF AMERICA TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to forward herewith a special report to the Security Council prepared by the Commander-in-Chief, United Nations Command. The report is submitted in accordance with Council resolution 84 (1950) of 7 July 1950.

I would be grateful if you could kindly arrange to have this report circulated as a document of the Security Council.

(Signed) Edward W. GNEHM
Deputy Permanent Representative

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Annex

Special report of the United Nations Command to the Security Council on the Korean People's Army's actions against the Neutral Nations Supervisory Commission

1. The United Nations Command was created in response to Security Council resolution 84 (1950) of 7 July 1950. In that resolution, the Council recommended the establishment of a Unified Command under the United States of America, in order to repel North Korean aggression against the Republic of Korea and to restore peace and security. It also requested that the United Nations Command provide the Security Council with reports, as appropriate, on the course of action taken under the Unified Command.

2. The Korean Armistice Agreement of 27 July 1953, between the Commander-in-Chief, United Nations Command, on the one hand and the Supreme Commander, Korean People's Army, and the Commander, Chinese People's Volunteers, on the other hand, established a state of truce on the Korean peninsula and remains in effect today. Article II, paragraphs 36 and 37, of the Armistice Agreement established the Neutral Nations Supervisory Commission. It is composed of four senior officers, two of whom are appointed by neutral nations nominated by the Commander-in-Chief, United Nations Command, namely Sweden and Switzerland, and two of whom are appointed by neutral nations nominated jointly by the Supreme Commander, Korean People's Army, and the Commander, Chinese People's Volunteers, namely Poland and (the former) Czechoslovakia. The missions of the Neutral Nations Supervisory Commission are to oversee the cessation of the introduction of reinforcing military personnel and equipment and to conduct investigations of armistice violations.

3. In January 1993, when the former Czechoslovakia split into two separate nations, the Korean People's Army/Chinese People's Volunteers withdrew their nomination from the Neutral Nations Supervisory Commission, pledging to nominate a replacement nation. In April 1993, the former Czechoslovak Neutral Nations Supervisory Commission delegation departed from Korea. To date, no replacement nominee has been identified by the Korean People's Army/Chinese People's Volunteers. The Neutral Nations Supervisory Commission has continued to function with three delegations.

4. The six officers of the Polish delegation of the Neutral Nations Supervisory Commission reside in a camp near Panmunjom on the northern side of the Korean demilitarized zone (DMZ). All support for the operation of the camp and subsistence of the Polish officers is provided by the Korean People's Army. This support includes rations, medical and dental care, transportation, utilities and physical security.

5. On 23 January 1995, a general officer of the Korean People's Army informed the Polish member of the Neutral Nations Supervisory Commission that all support to the Polish camp would be withdrawn effective 28 February 1995. If the Korean People's Army were to take this action, it would prevent the Polish delegation from performing its duties and force the Polish officers to leave their camp.

6. On 9 February 1995, an officer of the Korean People's Army informed the Polish alternate member of the Neutral Nations Supervisory Commission that transportation support to the Polish officers would be withdrawn, effective on 10 February 1995. This withdrawal of transportation support has physically isolated the Polish delegates in their camp and restricted them from travelling to the joint security area, Panmunjom to meet with the Swiss and Swedish Neutral Nations Supervisory Commission delegations' officers and conduct official meetings. The Korean People's Army officer also informed the Polish delegate that the Polish officers would be considered "illegal foreigners in the DMZ" after 28 February 1995.

7. On 14 February 1995, for the first time in 42 years, the Polish member failed to attend the weekly plenary session of the Neutral Nations Supervisory Commission.

8. The unilateral actions taken by the Korean People's Army against the Polish delegation violate the terms of the Korean Armistice Agreement, article II, paragraphs 13 G, J, and H. Under these provisions, the Korean People's Army is obliged to afford full protection and all possible assistance and cooperation to the Neutral Nations Supervisory Commission; provide such logistic support, including communications and transportation facilities, as may be required by the Neutral Nations Supervisory Commission; and ensure that all personnel of the Neutral Nations Supervisory Commission enjoy the freedom and facilities necessary for the proper exercise of their functions, including privileges, treatment and immunities, equivalent to those ordinarily enjoyed by accredited diplomatic personnel under international usage.

9. The United Nations Command has communicated to the Korean People's Army its concern over this action, pointing out that any changes to the Korean Armistice Agreement must be agreed upon by all three signatories, and that the Commander-in-Chief, United Nations Command, has not agreed to a change in the Neutral Nations Supervisory Commission.

10. The United Nations Command has also requested that the Korean People's Army/Chinese People's Volunteers nominate a replacement for the former Czechoslovak member of the Neutral Nations Supervisory Commission. To date, the Korean People's Army/Chinese People's Volunteers' side has not made a positive response.

11. The United Nations Command values highly the continued participation of the Neutral Nations Supervisory Commission in the Korean armistice system. The Neutral Nations Supervisory Commission provides a credible neutral perspective in the resolution of Korean armistice incidents and acts as an alternate channel of communications between the two sides. The day-to-day presence of the Neutral Nations Supervisory Commission at the joint security area, Panmunjom, provides an important moderating influence within this sensitive conference site, which has helped to alleviate tension.

UNITED
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S/1995/157
24 February 1995

ORIGINAL: ENGLISH

LETTER DATED 23 FEBRUARY 1995 FROM THE SECRETARY-GENERAL ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

In response to the request by the Council, I have the honour to forward herewith the report of the preparatory fact-finding mission to Burundi by Ambassador Martin Huslid (Norway) and Ambassador Simeon Aké (Côte d'Ivoire), dated 20 May 1994.

(Signed) Boutros BOUTROS-GHALI

95-05359S (E) 020395 030395

Annex

[Original: French]

REPORT OF THE PREPARATORY FACT-FINDING MISSION TO BURUNDI TO THE SECRETARY-GENERAL

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I. INTRODUCTION

1. On 16 November 1993 the Security Council in a note from its President (S/26757) encouraged the Secretary-General "to continue using his good offices through his Special Representative and to consider dispatching in his support as soon as possible a small United Nations team, within existing resources, to Burundi for fact-finding and advice with a view to facilitating the efforts of the Government of Burundi and the OAU".

2. On 7 March 1994 during a visit to the Secretary-General, the Minister of State for Foreign Affairs and Cooperation of Burundi, Mr. Jean-Marie Ngendahayo, reiterated a request which his Government had made on 22 November 1993, asking the United Nations to send a mission to investigate the coup d'état of 21 October 1993, the assassination of President Melchior Ndadaye, and the subsequent massacres.

3. In response to this request, the Secretary-General decided to send the Preparatory Fact-Finding Mission to Burundi. Its mandate was to:

(a) Investigate the coup d'état and the massacres of October 1993;

(b) Consider, in concert with the Burundi Government and the Special Representative of the Secretary-General, what activities future missions or an expanded United Nations political presence could undertake in order to encourage a return to civil peace.

4. The composition of the Mission was as follows:

H.E. Mr. Siméon Aké, former Minister for Foreign Affairs of Côte d'Ivoire, currently ambassador of Côte d'Ivoire to Germany, head of mission;

H.E. Mr. Martin Huslid, former Permanent Representative of Norway to the United Nations, currently ambassador at the Ministry of Foreign Affairs of Norway;

Mrs. Michèle Poliacof, political affairs officer with the United Nations Secretariat.

5. Before leaving New York, the mission had consultations with Mr. Marrack Goulding, Under-Secretary-General for Political Affairs, H.E. Mr. Paul Noterdaeme, Permanent Representative of Belgium to the United Nations; H.E. Mr. Jean-Bernard Mérimée, Permanent Representative of France to the United Nations and President of the Security Council; H.E. Mr. Thérence Sinunguruza, Permanent Representative of Burundi to the United Nations, and Mr. Peters, head of the Liaison Office of the Office of the United Nations High Commissioner for Refugees (UNHCR).

6. The mission left New York on 19 March 1994 and arrived in Bujumbura on 22 March 1994. It proceeded immediately to have consultations with the Special Representative of the Secretary-General, Mr. Ould Abdallah, and his political adviser, Mr. H. Abdel Aziz, in order to ascertain their views and obtain their

assistance for the practical organization of its activities. The mission takes this opportunity to pay tribute to Mr. Ould Abdallah and his assistant for their cooperation and for the valuable support which they gave it throughout its stay.

7. Since the Government authorities were taken up with the grave incidents that had just affected certain outlying districts of Bujumbura, it was not until 24 March that the mission was able to pay a courtesy visit on government officials, firstly the Prime Minister, Mr. Anatole Kanyenkiko, then the President of the Republic, Mr. Cyprien Ntaryamira. A lengthy working session with the latter was held that day and stretched on into the evening at the Presidential Palace. It was agreed that another working meeting would be scheduled; unfortunately, President Ntaryamira and the President of Rwanda were killed in an aeroplane accident on 6 April, as they were returning from a conference in Dar-es-Salaam.

8. During its stay in Burundi, the mission was twice received by President Ntaryamira and had three talks with the Prime Minister, Mr. Anatole Kanyenkiko. It also had three working meetings with the President of the National Assembly, Mr. Sylvestre Ntibantunganya, currently Interim President, and two interviews with the former President, Mr. Pierre Buyoya.

9. In addition to the aforementioned officials, the mission had talks with numerous members of Government, including the Minister of State for External Affairs and Cooperation, Mr. Jean-Marie Ngendahayo; the Minister of Defence, Col. Gédéon Fyiroko; the Minister of Justice, Mr. Fulgence Dwima-Bakana; the Minister of Territorial Administration, Mr. Jean-Baptiste Manwangari; the Minister of Basic Education and Adult Literacy, Mr. Nicéphore Ndimurukundo; the Minister of the Civil Service, Mrs. Marguerite Bukuru; the Minister of Trade and Industry, Mr. Joseph Nzeyimana; the Minister of Energy and Mines, Mr. Ernest Kabushemeye; the Minister of Human Rights and Refugees, Mr. Issa Ngendakumana; the Minister of Health, Dr. Jean Minani; the Minister of Social Affairs and the Advancement of Women, Mrs. Emilienne Minani; the Minister of Culture, Youth and Sports, Mr. Alfonse Rugambarara; the Minister for Institutional Reform and Relations with the National Assembly, Mr. Gaëtan Nikobamye; the Minister responsible for cooperation, Mr. Antoine Ntamobwa; the General Administrator of Documentation, Mr. Mammes. Some of the aforesaid officials were consulted in their dual capacity as Minister and as Chairman or Representative of a political party.

10. In order to gather their views on the events of October and the massacres that followed, the mission made a point of meeting prominent people who had held ministerial posts or other office in the Governments of Presidents Bagaza, Buyoya and Ndadaye.

11. Accordingly, the mission asked to talk with Mrs. Silvie Kinigi, Prime Minister under President Ndadaye; Lt. Col. Charles Ntakije, Minister of Defence under President Ndadaye; Lt. Col. Epitace Bayaganakandi, Chief of Staff (Police) under President Ndadaye; Lt. Col. Lazare Gakoryo, Secretary of State attached to the Minister of Defence, in charge of the Interior under President Ndadaye; Mr. François Ngeze, Minister of the Interior under President Buyoya; Mr. Libère Bararanyeretse, Minister for Foreign Affairs under President Buyoya; Mr. Cyprien Mbonimpa, Minister for Foreign Affairs under President Buyoya;

Mr. Alfonse Kadege, Minister of Information under President Buyoya;
Mr. Adrien Sibomana, Prime Minister under President Buyoya;
Mr. Edouard Nzambimana, Prime Minister under President Bagaza;
Mr. Laurent Nzeyimana, Minister; Col. Jerôme Sinduhije, Ambassador under Presidents Bagaza and Buyoya.

12. The mission proceeded to meet with actors from the Burundi political scene. Thus it met with representatives of all the political parties of Burundi, not only the party in power and those within the Coalition but also opposition parties.

13. With regard to representatives of the party in power and those within the Coalition, the mission talked to Mr. Sylvestre Ntibantunganya, in his dual capacity as President of the Front pour la démocratie au Burundi (FRODEBU) and President of the National Assembly; with Mr. Shadrack Niyonkuru, in his dual capacity as President of the Parti du peuple (PP) and Minister of Transport, Postal Services and Telecommunications; Mr. Gaëtan Nikobamye, in his dual capacity as President of the Parti Liberal (PL) and Minister for Institutional Reforms and Relations with the National Assembly; and Mr. Ernest Kabushemeye, in his dual capacity as President of the Rassemblement du peuple Burundais (RPB) and Minister of Energy and Mines.

14. Representatives of the opposition parties also were invited to state their views; they included Mr. Nicolas Mayugi, President of the Union pour le progrès national (UPRONA); Mr. Cyrille Sigejeje, President of the Ralliement pour la démocratie et le développement économique et social (RADDES); Mr. Joseph Nzeyimana, in his dual capacity as honourary President of RADDES and Minister of Trade and Industry; Mr. Alfonse Rugambarara, in his dual capacity as Representative of the INKINZO party and Minister of Culture, Youth and Sports; Mr. Mathias Hitamana, President of the Parti pour la réconciliation du Peuple (PRP); Mr. Nicéphore Ndimurukundo in his dual capacity as representative of the Parti indépendant des travailleurs (PIT) and Minister of Basic Education and Adult Literacy. The mission also met with representatives of the Forum pour l'état de droit (FED), an association of opposition parties which are not part of the Government coalition, including Mr. Jean Ndeberi, representative of the Alliance burundo-africaine pour le salut (ABASA), Mr. Ignace Bankamwabo, President of the Alliance nationale pour le droit et le développement (ANADDE) and Mr. Vincent Ndikumasabo, President of the Parti social démocrate (PSD).

15. The mission also asked for the views of senior military and police authorities. The mission had a number of consultations with the Minister of Defence and also with the Chief of Staff of the Army, Col. Jean Bikomagu; the Chief of Staff of the Police, Major Barahebura; the Director General of Communications and Social Affairs Lt. Col. Jean-Bosco Daradangwe. Outside the capital, the mission also met with the Commanders of Ngozi province, namely, Lt. Col. Hwaye Zachee and Major Etienne Batungwanayo, Commander of the Fourth Commando Battalion and Commander of Ngozi District, respectively, and also with the military authorities in Karuzi and Ruyigi provinces, namely, Major Augustin Nzabampena, Officer in Charge of Pacification of Karuzi province, and Majors Anis Nahigombeye and Salvatore Ndaryiyumvire, Commanders of Ruyigi province.

16. The mission gathered the views of Burundi's spiritual and religious leaders who also played an important role during the October events in restoring constitutional legality. In this context the mission met with Mgr. Bernard Bududira, President of the Conference of Bishops of Burundi; Mgr. Simon Ntamwana, Bishop of Bujumbura; Mgr. Pie Ntukamazina, Official Representative of the Episcopal Church of Burundi; Mgr. Stanislas Kaburungu, Bishop of Ngozi; Mgr. Jean Nduwayo, Bishop and Official Representative of the Episcopal Church of Gitega; Mgr. Joseph Nduhirubusa, Bishop of Ruyigi; Imam Issa Ntambouka, Official Representative of the Moslems; Rev. Meshack Kawaba, Representative of the Pentecostal churches; Rev. Bernard Ntahoturi; Rev. Samuel Nivungeko; Father Antoine Madagara, Vicar General of the Bishop of Ngozi; Father Pierre Canisus Batembekeza, priest of Karuzi parish; Father Melchior Busabusa and Father Tharcisse Ndayabandi, priests of Rusengo parish; Father Koma Elie, Director of the Kiriri Spiritual Centre.

17. As for the civilian authorities, the mission was unable to get appointments with the Mayor of Bujumbura; however, it met Mr. Joseph Ntakirutimana, Governor of Ngozi province, Mr. Antoine Baza and Mr. Henri Bukumbanya, Governors, respectively of Gitega and Ruyigi provinces, the political adviser of Karuzi province and the chiefs of zone and administrator of Kibimba. They also had talks with Mr. Mathias Yamuremye, chief of zone of Kamengé district in Bujumbura, and with a delegation from that district.

18. In order to gather a complete range of views and opinions, the mission also contacted representatives of the education sector and of socio-economic circles. Meetings were therefore organized with the Rector of the University, Mr. Pascal-Firmin Ndimira; the former Rector of the University who was also consulted in his capacity as President of the Sonera League, Mr. Venant Bamboneyeho; the President of the Chamber of Commerce, Industry and Handicrafts in Burundi, Mr. Donatien Bihute; the Secretary General of the Confederation of Free Trade Unions of Burundi, Mr. Vincent Kubwimana, accompanied by Mr. Philippe Nuwakamwie, Executive Secretary; the Vice-Governor of the Central Bank, Mr. Charles Kariburuby; Col. Jérôme Sinduhije, Ambassador and President of Société Bicor; Mr. Edouard Nzambimana, President of Société Ercoil.

19. In view of the role played by civic associations in Burundi's political and social development, the mission was pleased to be able to meet with a number of such associations and to have gathered their opinions and views. It talked with the representatives of the Leagues of Human Rights, including Mr. Venant Bamboneyeho, President of the Sonera League and former Rector of the University, Mr. Laurent Nzeyimana, former Minister and member of the same association; Mr. Tharcisse Nsavyirana, President of Iteka League and Eugene Nindorera of the same League. Representatives of women's associations also communicated their views to the Mission, specifically Mrs. Fidélie Nsabimana, Adviser to the Presidency; Mrs. Monique Ndakoze and Mrs. Fidéla Sindihebura, Director General of the Banque populaire du Burundi, representing the Alliance des femmes pour la démocratie et le développement (AFED) of FRODEBU party, and Mrs. Julie Ngiriye, Deputy in the National Assembly, and former Minister of Labour and Social Security; Mrs. Victoire Ndikumana, Deputy in the National Assembly; Mrs. Hyacinthe Sigejeje, Adviser to the Prime Minister; Mrs. Concilie Nibigira,

Director General of the Association pour la promotion économique de la femme (APEF) and Mrs. Séraphine Ruvahafi, Director General of the Société d'assurances du Burundi (SOCABU), all representing the Union des femmes Burundaises (UFB), UPRONA or RADDES parties.

20. Several requests for a hearing were sent by a variety of associations including associations for the defence of victims of the massacres. The mission was able to meet with a number of them including, in particular, the Association des natifs, résidents et amis pour le développement socio-économique de la Province de Karuzi (ADEKAR), represented by Mr. Séléus Nezerwe, Mr. Michel Ntuyaga, Mr. Evariste Minani and Col. Tharcisse Minani; the Association des natifs de la commune d'Itaba, Gitega province, represented by Mrs. Solange Habonimana and Mr. Déo Rusekesa; the Group des représentants de la province de Bujumbura Rural, represented by Mr. Laurent Ntahuga, Mr. Bonaventure Bandira and Mr. Donatien Nyambirigi; a group from Kayenza Province represented by Ambassador Ildephonse Nkeramihigo (Kayenza), Ambassador Basile Gateretse (Banga), Mr. Antoine Ngendabanka (Muhanga), and Mr. Pascal Nkuwniriza (Rango).

21. A working meeting was organized with representatives of the specialized agencies and United Nations bodies represented in Burundi, Mrs. Jocelline Bazile-Finley and Mr. André François Carvalho, United Nations Development Programme (UNDP); Mrs. Theda Janssen, Food and Agriculture Organization of the United Nations (FAO); Mr. Shelly C. Pitterman; Mr. Buti Kale and Mr. Arnauld Akodjenou, Office of the United Nations High Commissioner for Refugees (UNHCR); Dr. Ahmed Mouhtare, World Health Organization (WHO); Mr. Gemmo Lodesani, World Food Programme (WFP); Mrs. Frances Turner, United Nations Children's Fund (UNICEF); and with the representative of the International Committee of the Red Cross (ICRC), Mr. Daniel Philippin. The mission also met with Gabriel Mpozagara, delegate in charge of the least developed countries, representing the United Nations Educational, Scientific and Cultural Organization (UNESCO), who was visiting Bujumbura.

22. The mission also made a point of receiving the testimony of representatives of the non-governmental organization Médecins sans Frontières, Mr. Michel Clerc and Mr. Javier Gabaldon.

23. The mission took the opportunity to meet the heads of a number of diplomatic missions including the Ambassador of Germany, His Excellency Mr. Walter Leuchs; the Ambassador of Belgium, His Excellency Mr. Pierre Colot; the Ambassador of China, His Excellency Mr. Jiang Kang; the Ambassador of Egypt, His Excellency Mr. Alanddin Resk; the chargé d'affaires of the United States of America, Mr. Leonard Lang; the Ambassador of the Russian Federation, His Excellency Mr. Artur Veselov; the Ambassador of France, His Excellency Mr. Henri Crepin-Leblond; the Ambassador of Rwanda, His Excellency Mr. Sylvestre Uwibajije; the representative of the Commission of the European Union, Mr. Hugh Johnstone; and the Apostolic Pronuncio Monsignor Rino Passigato.

24. During its visit to Burundi, the mission visited the provinces most affected by the October massacres with a view to gathering evidence. An initial visit was organized to Ngozi province, first of all to Ngozi itself, then to the centre of Kibiza, and finally a visit to two refugee camps; on the return leg

the mission visited Banga, the scene of particularly horrible atrocities. The mission visited several refugee camps, both Tutsi and Hutu, in the provinces of Gitega, Karuzi and Ruyigi, and heard a number of eyewitness accounts. It also went to Rusengo and Kibimba, places which have unfortunately gained notoriety owing to the horror of the massacres that were perpetrated there.

25. Before departing from Bujumbura, the mission met with the widow of President Melchior Ndadaye, Mrs. Laurence Ndadaye, in order to hear her account of the events that took place during the night of 20-21 October 1993.

26. The mission, which was accompanied by the Special Representative of the Secretary-General, attended the State funerals of President Cyprien Ntaryamira, Mr. Bernard Chiza, the Minister of State for Planning, Development and Reconstruction, and Mr. Cyriaque Simbizi, the Minister of Communication and Government Spokesman, who died in the same aeroplane crash.

27. On its way back to New York, the mission stopped over in Addis Ababa to hold consultations with the Secretary-General of the Organization of African Unity, Mr. Salim Ahmed Salim, and visit the Executive Secretary of the Economic Commission for Africa, Mr. Layashi Yaker. It also stopped in Brussels to meet Mr. Léonard Nyangoma, the Minister of State for the Interior and Public Security, who was absent from Bujumbura during the mission's visit. The members of the mission were also able to talk to Father Walrave Neven, who normally lives at the White Fathers' Mission at Gitega.

28. The mission conducted a total of 104 interviews. All parties expressed their satisfaction that the mission had come to Burundi and emphasized the importance which they attached to it, as well as the confidence they had in the United Nations. Everyone involved was cooperative, frank and very open-minded. The mission hereby wishes to express its gratitude for the welcome and the hospitality it received and for everything that was done to ensure that both its stay and its work proceeded smoothly.

29. This report has been prepared on the basis of eyewitness accounts and opinions garnered during various interviews, facts that were established during visits to the provinces involved, and the considerable quantity of documentation which the mission received. Regarding this documentation, two documents published by the main political parties offering their respective views on the massacres are particularly noteworthy: "The Burundi Crisis of October 1993" by FRODEBU and "The Genocide of October 1993" by UPRONA. These documents and copies of the lawsuits filed with the judicial authorities by the victims defence groups could not be annexed to this report on account of their volume; they have been entrusted to the Department of Political Affairs in the Secretariat.

30. The report prepared by the fact-finding mission deals mainly with the coup d'état of 21 October 1993 and its tragic aftermath. On this basis, the mission shall endeavour to analyse those events and formulate proposals on the type of assistance that could be offered by the United Nations and the international community to the Government of Burundi in order to support the efforts it is making to restore peace and security in the country and to help it restore and rebuild what was destroyed or damaged during those events.

II. THE COUP D'ETAT OF 21 OCTOBER 1993

A. Historical background to the coup d'état

31. Needless to say, the tragic events triggered by the military coup d'état during the night of 20-21 October 1993 cannot be viewed in isolation; they should be considered in the light of their historical, political, economic and social background. Although only the briefest outline of this context will be given here, the following points should be noted.

32. The events in Burundi cannot be explained without taking the ethnic factor into account. The population of Burundi, which numbers approximately 6 million, is chiefly composed of two ethnic groups, the Hutu and the Tutsi, which make up 85 and 14 per cent of the population respectively. Another group, the Twa, which comprises just 1 per cent of the population, has not played a major role in the history of Burundi.

33. Although the Hutu form the overwhelming majority, the Tutsi have held political, administrative, economic, judicial and military power since 1962, the year of independence. The colonial Power contributed to this situation by giving the most important administrative posts to Tutsis rather than Hutus. Moreover, the Tutsis enjoyed privileged access to higher education, particularly in certain disciplines, which merely consolidated their position of power and superiority.

34. Many of the tragic events which have beset Burundi are attributable, at least in part, to this social "anomaly" whereby a minority holds the power from which the overwhelming majority is practically excluded. And yet the ethnic element is less pronounced in Burundi than it is in many other multi-ethnic countries. Burundi's inhabitants all share the same language and culture. The high number of interethnic marriages has helped to attenuate even further ethnic differences which are already so slight that foreigners can hardly detect them. Prior to independence, the Tutsis and the Hutus coexisted more or less peacefully.

35. However, it was to be expected that in the long term the Hutu majority would be unable to tolerate their second-class status and would revolt against the Tutsi élite. The history of Burundi from 1965 to the present has been characterized by a number of bloody uprisings which have led to an exacerbation of mistrust and hostility between the two ethnic groups. Generally speaking, these uprisings have been initiated by the Hutu who proceeded to massacre a number of Tutsis, and then the army, which has been predominantly Tutsi (especially since the coup of 1965), would quell the insurrection by massacring an even greater number of Hutus. The most significant uprisings occurred in 1965, 1972, 1988 and 1991.

36. The 1972 uprising seems to have been the most bloody and brutal. It began with a Hutu attempt to challenge Tutsi domination in which several thousand Tutsis were massacred. The army's response was so brutal that some 100,000 Hutus were reportedly killed in the space of a few months. It seems that during this genocidal repression, the élite, the leaders and future professional staff were particular targets. As a result of this carnage, several hundred thousand

Hutus were obliged to flee abroad, thus giving rise to a distressing and difficult refugee problem.

37. The 1972 uprising seems to have made a particularly deep impression on the consciousness of the Hutu population, which developed a kind of self-defence reflex that was much in evidence during the 1993 massacres. It should also be noted that fear and mistrust have developed among the Tutsi also and have grown with each uprising. This feeling of mutual fear on both the Hutu and the Tutsi side, which seems to be a principal legacy of the many bloody confrontations that have beset the country, could explain, at least in part, the extremely violent reactions witnessed during the events of 1993.

38. Until 1992, the Tutsi-dominated party UPRONA was the only political party that had ever held power. That year saw the approval by referendum of a new Constitution enshrining democratic pluralism. Under this Constitution, it became possible to found new political parties, but in order to do so a party had to obey certain criteria such as showing that it had not been constituted on any kind of ethnic basis. The new Constitution was consistent with the thrust of the National Unity Charter adopted in 1990. As a result of these measures initiated by President Buyoya, a number of new parties were established, including FRODEBU, which was founded in exile in 1986 and had remained an underground organization. It was soon to become not only UPRONA's main rival but also the principal political forum for the Hutu.

39. Following the next bloody flare-up in 1988, President Buyoya started to introduce a certain degree of power-sharing by appointing Mr. Adrien Sibomana to the post of Prime Minister, the first Hutu to take up this post since 1965, and attempting to establish Tutsi/Hutu parity both in Government and in other assemblies. At the same time he appointed a number of Hutus to the posts of governors or local administrators and made it easier for Hutus to gain access to various training courses and even the army.

40. By taking these steps, President Buyoya gained considerable respect and popularity and was apparently expected to win the first democratic elections, which were to be held on 1 June 1993. That is not what happened, for the FRODEBU candidate, Mr. Melchior Ndadaye, won the elections, which had taken on a largely ethnic colouring, by a large majority (approximately 65 per cent). Thus for the first time a Hutu acceded to the country's highest office. FRODEBU's victory was repeated in the legislative elections on 29 June when FRODEBU won 65 seats and UPRONA won only 16.

41. These results, which radically changed the country's political landscape, naturally came as a bombshell to the Tutsi/UPRONA camp. Although President Buyoya accepted defeat with good grace, the same could not be said for some of his entourage. Young people began holding demonstrations challenging the election results, and these were followed on 2 and 3 July, before President Ndadaye had even been inaugurated, by a first attempted coup d'état in which a number of officers, including President Buyoya's principal private secretary, were implicated. This attempt was foiled and the President was inaugurated on 10 July 1993.

42. It is clear that certain forces, including opposition extremists, were unwilling from the outset to accept the political changes that had occurred. Not only did these forces not disarm, they actually continued their destabilizing activities which eventually led to the coup d'état of 21 October 1993. It should be stressed, however, that extremism was not the exclusive preserve of the opposition; it also flourished within the Hutu movement, particularly in the radical underground organization Parti pour la libération du peuple Hutu (PALIPEHUTU).

43. It would probably be accurate to say that several of the measures taken by the new authorities displeased the opposition and, in a way, contributed to the coup d'état. The most significant of those measures seem to have been the following:

(a) Large-scale reorganization within central and local administration (at the governor, local administrator, headmaster level, etc.); in many cases this meant that serving officials lost their jobs, creating animosity and bitterness. It was reported that such changes were sometimes made without any regard for competence and experience;

(b) Plans to reform an army overwhelmingly dominated by the Tutsi. Although few changes were actually made before the coup d'état, the army was extremely suspicious of FRODEBU's intentions and sometimes accused FRODEBU of "demonizing" the army;

(c) The allocation of land to returning refugees (some of whom had fled as long ago as 1972) at the expense of current landowners. This particularly delicate question was extremely controversial and caused much bitterness and resentment among those who were obliged to surrender their land. About a week before the coup d'état, President Ndadaye admitted in a speech delivered in Makamba, that the land-allocation procedures had proved unsatisfactory and would have to be re-examined.

44. It should also be mentioned that efforts were made to placate the opposition. Thus President Ndadaye appointed Mrs. Sylvie Kinigi, an ethnic Tutsi from UPRONA, to the post of Prime Minister; in addition, 40 per cent of ministerial posts were allocated to the opposition. It is probably correct to say that these concessions were necessary in view of the balance of forces in the country and the insufficient number of competent and experienced high-level executives in FRODEBU's ranks.

45. Generally speaking, one can say that although Burundi's institutions functioned more or less normally during the autumn of 1993, there was considerable tension and social unrest. For example, a number of fires and forests fires broke out and several people who had been accused of witchcraft were murdered. Although some of this unrest was rooted in age-old structural issues, a good deal of it was directly attributable to the changes being made by the new regime. Clearly, there were some people in certain political and professional circles and in the army who could not accept the rapid pace of change and the reforms which Burundi was undergoing, all of which threatened vested interests. They went as far as to plot the overthrow of the regime by

force. Rumours of an imminent coup d'état were so rife that when it took place, it did not come as a complete surprise.

B. Events of the coup d'état

46. It was in this context that the coup d'état of 21 October 1993 took place, resulting in the murders of:

- H.E. Mr. Melchior Ndadaye, President of the Republic;
- Mr. Pontien Karibwami, President of the National Assembly;
- Mr. Gilles Bimazubute, Vice-President of the National Assembly;
- Mr. Juvenal Ndayikeza, Minister of Territorial Administration and Communal Development;
- Mr. Richard Ndikumwami, General Administrator of Documentation and Migrations;
- Mrs. Euzebie Ntibantunganya, wife of the Minister of External Relations and Cooperation;
- Mrs. Sylvane Barupozako.

47. The coup d'état began during the night of Wednesday 20 to Thursday 21 October 1993, when units of the First Paratroop Battalion and Eleventh Armoured Battalion emerged from their encampments to attack the Presidential Palace.

48. The military intelligence services were aware of what was about to occur, because at approximately 8 o'clock on that same Wednesday evening, Police Chief of Staff Lt. Colonel Epitace Bayaganakandi had alerted Mr. Antoine Ntamobwa, political adviser to the President of the Republic and currently Minister responsible for cooperation.

49. Returning to his office at the Presidential Palace, Mr. Ntamobwa conveyed this information to Minister of Defence Lt. Colonel Charles Ntakije, who was taking part in an extraordinary meeting of the Council of Ministers.

50. It appears that the Minister of Defence did not immediately inform the Head of State, the Prime Minister or members of the Government at the meeting.

51. It was Mr. Jean-Marie Ngendahayo, Minister of Information, Government spokesman and now Minister of State for External Relations and Cooperation, who, concerned about problems connected with the security of the President of the Republic, first drew the imminence of the coup d'état to his attention.

52. The President of the Republic asked him to summon the Minister of Defence, who was in Mr. Ntamobwa's office in telephone contact with the Police Chief of Staff, attempting to confirm the information provided to him by Mr. Ntamobwa.

53. The two Ministers then went to the office of the President, where the Minister of Defence confirmed to the Head of State that the coup d'état would take place at 2 a.m. on Thursday, 21 October 1993, and assured him that all necessary measures would be taken to neutralize the putschists and put a halt to their undertaking.

54. President Ndadaye expressed his concern as to whether Lt. Colonel Sylvestre Ningaba, former Head of the Cabinet of President Pierre Buyoya and one of the presumed authors of the failed coup d'état of 3 July 1993, was under secure guard in the prison at Rumonge, located roughly 100 kilometres from the capital.

55. Responding to the concern of the Head of State, the Minister of Information suggested that his colleague send a special detachment to transfer Mr. Ningaba from the Rumonge prison to another prison, so that if the putschists came to him for support, they would not find him there and would thus fall into confusion.

56. The Minister of Defence reportedly rejected that proposal, due to the fact that the prison administration was reluctant to undertake the transfer of prisoners at night, and assured the President of the Republic that he would dispatch a police patrol to reinforce the guard at that prison. Encouraged by the assurances of his Minister, the Head of State returned to the Palace.

57. The Minister of Defence met with Army Chief of Staff Lt. Colonel Jean Bikomagu, the Police Chief of Staff, Second Battalion Commander Major Esaie Nibizi (responsible for the security of the President and senior officials), and the doctor Lt. Colonel Jean Bosco Daradangwe, Director General of Communications and Social Security for the Armed Forces, and other senior officers in order to adopt measures to counter the coup d'état. These measures included:

(a) Reinforcing the Presidential Palace guard unit;

(b) Dispatching police surveillance units to the exits of all encampments of the First and Eleventh Battalions; and

(c) Setting up ambushes on all roads from those encampments and on all roads to the Palace, by means of blocking bridges and making use of all means available to the commander of the Second Battalion.

58. The commanders of the First Paratroop Battalion and of the Eleventh Armoured Battalion were reportedly confined to their encampments that night in an effort to dissuade the putschists and, if necessary, oppose their coup d'état by force.

59. The various measures taken to counter the putschists proved ineffective, as they did not interfere with their movements. The mission has been informed that these measures did not work.

60. All eyewitness accounts concur that the first shots were fired at the Presidential Palace around two in the morning.

61. Alerted by his intelligence services between 1 and 1.30 a.m., the Minister of Defence immediately telephoned the President of the Republic to warn him and advise him to leave the Palace to seek refuge elsewhere, outside the Palace grounds or in a foreign embassy.

62. President Ndadaye took refuge in an armoured guard vehicle stationed in the courtyard. Camouflaged in a military uniform, he was joined there by his wife, three children and two members of their household staff, at around 6 a.m.

63. The armoured vehicle was then driven to the Second Commando Battalion (the unit responsible for Presidential security) at Camp Muha, where Army Chief of Staff Jean Bikomagu and Secretary of State for Defence Major Lazarre Gakoryo had already arrived.

64. The officers, who had alerted the Minister of Defence so that he would warn the Head of State and senior officials, and who believed that the President had left the Palace, were surprised to find him that morning taking refuge in the armoured vehicle.

65. It seems that, at one point, the idea was to have him evacuated by helicopter. However, that was not possible, because the pilots of the Bujumbura Squadron had already been taken hostage by the mutineers.

66. Accordingly, when the mutineers overran Camp Muha they found him there and demanded that he be handed over to them. After some negotiation, Army Chief of Staff Lt. Colonel Jean Bikomagu was able to send the President's family in a Jeep to the French embassy, where they found refuge.

67. Apparently, the President first tried to reason with the mutineers, but in vain. He asked them what their grievances were so he could find solutions for them. Seeing that they were nervous, he appealed to them to think of their country, their families, and urged them not to shed blood. The rebels turned a deaf ear to his entreaty.

68. Secretary of State for Defence Major Lazarre Gakoryo, Camp Muha Commander Major Esaïe Nibizi, and the Army Chief of Staff were apparently unable to prevent the mutineers from seizing the President and taking him to their camp, where he was tortured and killed. His death is estimated to have occurred between nine and ten in the morning.

69. Since one of the objectives of the coup d'état was, to deprive the State of its head and of the senior FRODEBU leaders and consequently to paralyse the Republic's institutions, the putschists hunted out that party's principal officials in order to seize and eliminate them.

70. Thus, besides the President of the Republic, they executed the President and Vice-President of the National Assembly, the Minister of Territorial Administration and Communal Development, and the General Administrator of Documentation and Migrations.

71. Having failed to find Mr. Sylvestre Ntibantunganya, Minister of External Relations and Cooperation, at his residence, they murdered his wife, who had

refused to tell them where he was hiding, as well as Mrs. Barupozako, at whose home she herself had taken refuge.

72. Several questions come to mind:

(a) Given that persistent rumours of a coup d'état had been circulating in Bujumbura since 18 October 1993, when the Head of State returned from the "Francophone Summit" in Mauritius, why was the President not informed, and why were the requisite measures to ensure his safety and foil the coup d'état not taken until 20 October, just a few hours before the mutineers emerged?

(b) Once confirmation of the coup d'état had been received, why was the President of the Republic not taken to a more secure location instead of being allowed to return to the Palace?

(c) The Minister of Defence maintains that the measures taken were sufficient to stop the putschists, and that the means put at the disposal of the commander of the Second Battalion, in terms of troop strength and matériel, were sufficient to neutralize the assailants. How effectively were those means deployed?

(d) How is it that the principal authors of the failed coup d'état of 3 July 1993, who were in prison at Rumonge, were at the scene and were able to direct operations and then leave the country at their leisure? Were the proposed measures to reinforce the guard at Rumonge prison and prevent these people from being released really carried out?

(e) Were the measures announced and orders given followed and carried out properly? Were these measures adequate to attain their objectives?

(f) If all these measures were indeed taken and all these means indeed deployed, how is it possible that the putschists succeeded in their enterprise?

73. If they succeeded, it is because these measures and means were inadequate and it is likely that, in addition, the orders given were not properly executed.

74. The mission had been assured that most of the armed forces remained loyal to the Government. Despite that assurance, the mission wonders, in light of the eyewitness accounts and the facts of the case, what exactly the armed forces did to defend their commander in chief, the President of the Republic?

75. It is true that shots were fired, but it does not appear that there was any fighting between the putschists and the army units responsible for opposing them and ensuring the safety of the President of the Republic. This is borne out by the fact that the Army does not appear to have sustained any casualties in the course of the coup d'état.

76. Was there not, at least, connivance if not collusion between the putschists and a segment of the Army?

77. These points deserve to be examined more thoroughly by military specialists in order to clarify them and assess the effectiveness and efficiency of the

measures taken, so that, if necessary, responsibility may be assigned and the degree of culpability determined with a view to eventually punishing those involved.

C. The perpetrators of the failed coup d'état

78. There is agreement that only part of the army rebelled against the Government, not the entire army, as might have been assumed from the initial proclamation by the rebels that "all the forces of the army and the police have risen up as one against the established government".

79. The coup attempt was apparently carried out by troops led by young non-commissioned officers and a number of senior officers, some of whom were among the perpetrators of the failed coup d'etat of 3 July 1993.

80. The prevailing view among those who testified is that the real organizers are hiding behind the troops and non-commissioned officers and that some of them are in the army, while others are civilians and businessmen.

81. Some leaders of the opposition parties are also said to have been involved. The names of public, political, economic and military figures suspected of having organized the coup attempt have been mentioned. The mission cannot, however, disclose those names because of the nature of its mandate, which is political and not judicial.

82. According to another view, albeit held by a minority, FRODEBU, particularly its extremist wing, desired such a coup attempt in order to be able to catch the army "in the act" and settle the question of reforming the army once and for all. Such an assertion would seem to be difficult to support.

83. While bearing in mind its mandate, the mission believes that there is every reason to believe that there were clandestine organizers behind the coup attempt. It considers that only an in-depth judicial inquiry in which international specialists could take part would make it possible to identify all the perpetrators and the persons behind the attempted coup d'état as well as all those who, through their behaviour, encouraged or facilitated its execution.

D. The management of the crisis

84. Both the Government and the army were in a state of general confusion. The assassination of the President of the Republic and of the President and Vice-President of the National Assembly, who, under the Constitution, could have succeeded him, had created a constitutional void. The main ministers, who are members of FRODEBU and were being sought by the perpetrators of the putsch had gone into hiding or were on mission abroad.

85. From their hiding places and from abroad, the members of the Government launched the first appeals to resist the coup attempt and alerted international public opinion by telephone and through Radio Kigali.

86. The General Staff of the armed forces was overtaken by events, and some senior officers, including the Army Chief of the Staff, were apparently neutralized or taken prisoner.

87. In that situation, some rebels went, during the night, to find Mr. François Ngeze, the former Minister of the Interior in the previous Government of President Pierre Buyoya, and apparently took him by force to the officers mess.

88. Mr. Ngeze, a Hutu, an UPRONA member and an opponent of FRODEBU, was apparently held there and then released at the end of the morning and offered the post of president of a "national state security council", which the perpetrators of the putsch wished to set up.

89. In the afternoon, the opposition party leaders were transported to the General Staff Headquarters of the army, where Mr. Ngeze and Lieutenant Colonel Jean Bikomagu informed them about what had happened and about the situation.

90. At that meeting, it was proposed that a national state security council should be set up in order to cope with the situation and they were requested to join the council. The perpetrators of the putsch apparently demanded that the Council should be headed by Mr. Ngeze. The opposition party leaders reserved their position and insisted, furthermore, that the nation should be informed of what had happened through a communiqué or a statement since the radio station was no longer broadcasting.

91. That same evening, a communiqué was read over Burundi Radio announcing that all military units had rebelled against the Government and that a national state security council had been set up in order to manage the crisis situation that had thus been created.

92. According to the communiqué, the council was made up of leaders of the political parties and human rights associations, representatives of civil society and heads of the security forces. It stated that Mr. François Ngeze had been appointed to head the Council. The communiqué also decreed a number of measures, inter alia, to institute a curfew, seal the borders with neighbouring countries, close the port and airport of Bujumbura and prohibit traffic between towns and meetings of more than three persons. The communiqué entrusted the district military commanders with provincial government and called upon the bishops and other religious leaders to attend a meeting in Kigobe Palace on 22 October 1993 in order to consider the situation.

93. On Friday, 22 October 1993, several meetings took place between Mr. Ngeze, military leaders, leaders of the political parties and religious authorities. Those various groups strongly condemned the attempted military coup d'état and the political and ethnic massacres and demanded an immediate return to constitutional legality.

94. Similar statements were made by the religious authorities, political parties and other organizations.

95. The General Staff of the armed forces, for its part, issued a communiqué in which it strongly condemned the coup attempt, disclaiming any connection with it and repudiating those who were behind it and the perpetrators.

96. Mr. Ngeze had to resign himself to making a statement broadcast by radio deploring the "unfortunate events" that had just taken place in the country and admitting that the crisis which Burundi was undergoing constituted a setback for democracy.

97. It was not possible to set up or put into operation the national state security council because those who were to be members had declined and the rebels came up against the unanimous condemnation and firm demands on the part of the political, moral, social and even military forces calling for a return to constitutional legality.

98. Attention should be drawn to the action taken by the ambassadors who gave refuge in their embassies or residences to the public figures who were being sought or threatened as well as to the steps taken by the Group of Associations for Peace and Assistance (GAPS), which sought to help restore peace and establish a dialogue between the Government and the army.

99. In fact, it was after certain Ministers had taken refuge in the French Embassy that it was possible to establish initial contact with the Government and begin consultations in order to deal with the serious situation in the country and halt the massacres and the destruction that were convulsing it.

100. The legal Government regained power and began to function, as well as it could, on 25 October 1993 in the French Embassy, where its security was ensured. It thus regained control of the radio and television, annulled the emergency measures decreed by the perpetrators of the coup attempt in their communiqué of 21 October 1993 and launched appeals calling for peace and tranquillity.

101. The Government was criticized for waiting too long to launch those appeals and thus permitting the massacres to continue. The Prime Minister and other ministers who had not been bothered by the military were also criticized for not addressing the people to reassure them and halt the massacres.

102. Nevertheless, it is necessary to take into consideration the extremely difficult situation in which most of the members of the Government found themselves since they themselves were being sought by the perpetrators of the putsch and were very concerned about their own safety and survival.

III. THE MASSACRES

A. The massacres

103. President Melchior Ndadaye, a charismatic leader and founder of FRODEBU, was the first Hutu political figure to assume, on 10 July 1993, the highest office in Burundi, following the elections of 1 June 1993, which were generally recognized as democratic, proper and transparent.

104. Mr. Ndadaye embodied the aspirations and hopes of the Hutu ethnic group, which is the majority in the country, to assume henceforth, together with Tutsis of the same political orientation and other parties in the coalition, its share of responsibility in conducting State affairs, from which it had been practically excluded for more than three decades.

105. The election on 29 June 1993 of a parliamentary majority representing FRODEBU, which gained 65 of the 81 seats in the National Assembly, made his victory over the previous regime complete and strengthened his claim, which was undoubtedly legitimate, to a more active role in the country's political, economic, social and cultural life.

106. The assassinations of President Ndadaye and four of the main leaders of FRODEBU were viewed by the Hutu population as a rejection of the democratic change of power.

107. Those assassinations, which appeared to have delighted some of the sympathizers of the opposition, immediately caused a bloody reaction on the part of the Hutu against the Tutsi and resulted, in turn, in a similar reaction by the Tutsi and violent reprisals by the army against the Hutus. It should be pointed out that some of the Twa also took part in the massacres and a number of them were killed.

108. Those reactions and reprisals caused destruction and bloodshed in most of Burundi's provinces, with some exceptions, including Bujumbura. They resulted in very considerable loss of life, a massive exodus of Hutus who took refuge in Rwanda, Zaire, Uganda and Tanzania, the displacement of Tutsis to camps under the protection of the army and, lastly, the scattering and hiding of Hutus in hills, forests and swamps in search of safety.

109. It is impossible to give an exact figure for the loss of life and the number of refugees and displaced or dispersed persons. Most estimates place the number of deaths between 50,000 and 100,000 and some estimates are even higher. Although it is imprecise, the number of refugees abroad is approximately 700,000 and the number of displaced or dispersed persons within the country is about 200,000.

110. In addition to these figures, account should also be taken of the destruction, burning and plundering of houses, the devastation of fields and forests, the theft of property, agricultural products and livestock and other depredations as well as the desecration of places of worship.

111. The numerous accounts by witnesses as well as visits to some of the most affected provinces and towns and the copious documentation provided to the mission by all the parties concerned indicate that the massacres were more horrible and atrocious than anything imaginable.

112. The mission will not describe in detail the pogroms that are recorded in the documentation. It will merely stress here that the massacres were carried out with knives, machetes, spears, stakes, bamboo poles, arrows, rocks, fire arms and grenades against men and women, infants and children, young people and adults, old people and the elderly, everywhere in the hills, public places and

commercial centres, in fields, on footpaths, in schools and even in churches, as was the case in Rusengo, in the province of Ruyigi.

113. According to the accounts by witnesses and the written statements, entire families were killed and horrible atrocities were committed in which people, including women, children, infants and elderly persons, were killed and thrown into latrines; others were bound hand and foot and thrown into rivers. Still others, sometimes bound up, were locked in houses and shops which were set on fire in order to burn them alive. This was the case of the secondary-school pupils in the town of Kibimba in the province of Gitega, whose charred bodies were left unburied for several weeks, as well as the peasant farmers from Kibiza in the town of Mwumba, the province of Ngozi, who were burned to ashes in a shop into which soldiers had thrown grenades. This was also the case of the persons who had sought refuge in the bishop's residence in Ruyigi, some of whom also died in bedrooms that had been set on fire, and, lastly, of the young people in the inn in Banga who, in order to escape the killing, had sought safety in a tree which was then doused with gasoline and set ablaze, and the poor people who had died in a room set on fire in the same inn, managed by a congregation of the Bene sisters.

114. Persons of all categories and walks of life and all ages - peasant farmers executives and militant members of political parties, government agents, medical and paramedical personnel, and lay and religious persons - were killed in atrocious ways in the bloodthirsty madness which caused the people of Burundi enormous suffering and which cannot in any way be justified.

B. The causes of the massacres

115. These horrible massacres were recorded and explained in terms of ethnic divisions and political sympathies. Profoundly divergent views have arisen with regard to the responsibility for them since all the parties concerned do their utmost to incriminate someone else.

116. It is generally agreed that the massacres and destruction of property, which had spared the capital, Bujumbura, were unleashed within the country by the Hutu population.

117. This reaction, according to FRODEBU sources, was predictable since the Hutus had suffered enormously from domination by the Tutsi minority and ill-treatment by the army, which is essentially composed of Tutsis.

118. They recall in this regard events that took place in the past and, more specifically, the acts of repression of which the army was guilty in 1972 and in which tens of thousands of Hutus were exterminated or forced to take refuge abroad.

119. They maintain that fears that the opposition, with all its elements and supported by the same army, would be unable to accept the change in political power resulting from the elections of 1 and 29 June 1993, caused a reflex action to ensure self-defence and protect the gains made through democracy and the favourable political situation.

120. Lastly, they claim that the coup attempt and, above all, the assassination of their leader were the events that caused a spontaneous reaction.

121. The brutal reaction on the part of the Hutus is viewed differently by the representatives of UPRONA and the opposition parties. According to them, the attempted coup d'état and the assassination of President Ndadaye, which they condemn, were used as a pretext by the leaders of FRODEBU for implementing a plan, which had been meticulously drawn up under the influence of their extremist wing, to carry out "genocide against the Tutsis".

122. To support this claim, they point to the fact that in the interior of the country the Hutus cut down trees, destroyed bridges, purchased machetes, chainsaws and containers of petrol, and to the statements broadcast by Radio Kigali of Dr. Jean Minani, the Minister of Public Health, who was on mission in Rwanda, Mr. Jean-Marie Ngendahayo, the Minister of Information and Government spokesman, and Mr. Schadrack Niyonkuru, the Minister of Transport, Postal Services and Telecommunications.

123. Those statements are said to have given the signal to unleash the massacres, which were premeditated and carried out in accordance with the "Code of 1 June 1993", which was broadcast by Mr. Niyonkuru.

124. The leaders of the coalition strongly reject those accusations spread by the opposition in order to conceal or downplay the responsibility of the army in the putsch and in the assassination of President Ndadaye and his collaborators.

125. As indicated above, they claim that the massacres were the result of a spontaneous reaction on the part of the Hutu population, which was desperate and distraught because of the assassination of their leader. Remembering the repression of 1972, the Hutus reacted by cutting off bridges and blocking roads in order to limit, if not prevent, the movement of soldiers so that they could not come to massacre them.

126. As far as the famous "Code of 1 June" (actually, the "Codde of 1 June" is concerned, Minister Niyonkuru explains that this is the abbreviation of the title of the statement drawn up on 22 October 1993 by some ministers, appealing to the populace to rise up as one to counter the putschists, combat their government and refuse to accept anyone appointed or any authority established by that government. According to him, it was important to restrict the movements of the putschists and prevent them from travelling within the country. This handwritten text, under the title "The Coalition for the Defense of the Democratic Institutions of 1 June 1993" was intended to block the putschists and force them to return power to the legitimate Government. The "Code of 1 June" has no explanation other than the one he has given, and it was used for propaganda purposes to tarnish the image of the majority.

127. These two interpretations are supported by sympathizers in each of the two camps.

128. After evaluating all the facts and testimony, the mission believes that the interpretation given by the Coalition appears the more plausible. It does not rule out the possibility, however, that statements made by the Ministers could

have been misunderstood or misinterpreted by a populace shocked by the news of the assassination of President Ndadaye. Nevertheless, their authors cannot be accused of deliberately inciting or planning these massacres.

129. Neither does it exclude the possibility that, in a context of self-defense, some preventive measures may have been taken even though they were not intended to perpetrate massacres.

130. The Hutu, like the Tutsi, the army and even political leaders, must assume, undoubtedly to varying degrees, their respective share of the responsibility for these massacres.

C. The role of provincial administrators and the army

131. It is agreed that some of the provincial administrators appointed by the new government, lacking competence and experience, were over zealous and excessively militant in interpreting their leaders' statements. Hence, it is alleged that they were not up to the task that was incumbent on them, namely, preventing these massacres, and in some provinces or communes, they are even accused of having encouraged or incited them.

132. It is alleged that the army for its part was not always moderate in its reprisals and that, although in many cases it helped to prevent or limit the massacres, it too, committed excesses. It is criticized among other things for the selectivity of the reprisals against the Hutu, even when the latter were the victims of murderous attacks by the Tutsi.

133. Everyone agrees, however, that wherever open collaboration could be established between the administration and the army, it was possible to limit the damage and to maintain security zones.

IV. EVENTS AFTER THE COUP D'ETAT AND THE MASSACRES - PRESENT SITUATION

134. The coup d'etat and the subsequent massacres left the nation of Burundi, including the Government, in a state of shock and total disarray. Members of the Government, who had taken refuge in the French Embassy, were in a state of confusion and unable to act. In the provinces, much of the local government collapsed. Refugees and internally displaced persons, in addition to the aftermath of the massacres, posed enormous problems.

135. Nevertheless, as political and administrative mechanisms gradually resumed operations, the Government resumed its functions, filling vacant posts with new appointees when necessary. On 24 October, Secretary-General Boutros Boutros-Ghali decided to send a Special Envoy, Mr. James Jonah, for a mission of good offices. After this mission, he decided to appoint a Special Representative to Burundi, Mr. Ould Abdallah, who took up his duties on 25 November 1993.

136. A regional summit was held in Kigali on 24 October, in which representatives of Burundi and neighbouring countries participated along with OAU observers, followed in November by consultations between OAU and the Government of Burundi on the deployment of an international protection and observation mission for the restoration of confidence in Burundi.

137. The Government of Burundi, through its Permanent Representative to the United Nations, sent a letter dated 4 November 1993 to the President of the Security Council (S/26703) in which he reiterated a request already made to the Special Envoy of the Secretary-General for the dispatch of an international force to Burundi.

138. As for the evolution of the internal political situation, after resuming its work on 17 December 1993, the Parliament elected its new Bureau on 23 December, with Mr. Sylvestre Ntibantunganya, then the Minister for External Relations and Cooperation, as its President. On 13 January 1994, Parliament elected the new President of the Republic, Mr. Cyprien Ntaryamira, former Minister of Agriculture and Animal Husbandry, without holding new presidential elections. It should be noted that in order to do so, article 85 of the Constitution had to be amended. On 7 February 1994, a new Government headed by Mr. Anatole Kanyenkiko, a Tutsi and member of UPRONA, was installed, with 60 per cent of ministerial posts allotted to FRODEBU and its allies and 40 per cent to the opposition.

139. On the whole, it can be said that the period following the coup d'etat and the massacres saw a number of positive developments, particularly considering the highly dangerous and difficult circumstances in the country. It should be stressed here that the political parties, following negotiations conducted under the auspices of religious authorities and GAPS, with the cooperation of the Special Representative of the United Nations Secretary-General and the participation of the army, managed to reach agreements which made it possible for institutions to start functioning again and/or the Government to operate.

140. The Special Representative of the Secretary-General, Mr. Ould Abdallah, is widely recognized as having played an extremely useful role in the process of dialogue and consultation necessary to the restoration of institutions in the Republic.

141. It should be acknowledged, however, that the country has suffered some negative developments which are cause for some concern. Certain sections of the capital, Bujumbura, which on the whole was spared the massacres of October-November, have become centres of violent clashes between ethnic groups and between the Hutus and the army, leaving many victims and leading to a new exodus of refugees. A significant example are the "dead city" campaigns, organized at the end of January and the beginning of February by two small opposition parties, Inkinzo and RADDES, to protest against the Government, during which violence and carnage occurred. These dismal events, in which youths and adolescents actively participated, were characterized by a tendency towards "ethnic cleansing", with the result that some areas have become accessible only to Hutu and others only to Tutsi.

142. In the provinces as well, in many locations it has proven impossible to date for the groups to live together and access to certain towns is still restricted. It is clear that such situations must be brought under control quickly if the nation of Burundi wished to continue to live in harmony as one people.

143. Another cause for concern is the emerging tendency among the populace to arm themselves, either as individuals or through membership in more or less organized militias in certain areas of Bujumbura, Kamengé and Kinama in particular. Recently the Government has attempted to limit or end this practice. But this issue is all the more sensitive since it is related to a deep mistrust of the army among the Hutu, who consider the army to be exclusively in the service of the Tutsi.

144. The violence which broke out during March and April, particularly between the army and the Hutu opposition in Kamengé and other sections of Bujumbura, left hundreds dead.

145. On 6 April 1994, the new institutions and the entire nation were again severely tested when the newly-elected President, Mr. Cyprien Ntaryamira, along with two of his Ministers and the President of Rwanda, was killed when their aeroplane crashed - apparently after being shot down as it was preparing to land at Kigali airport, thanks to the effective and coordinated action taken by the Government and the army High Command to explain that this tragedy was in no way related to the crisis in Burundi, it was possible to maintain calm throughout the country. It is also possible that this new tragedy afflicting Burundi may have helped to strengthen national unity.

146. Under the Constitution, the President of the National Assembly, Mr. Sylvestre Ntibantunganya, was named Interim President. Since taking office, he has made unceasing efforts to promote dialogue and cooperation among all parties.

147. The recent tragic events in Rwanda have thus far not had a destabilizing effect on Burundi, aside from the refugee problem. However, on 24 April 1994, several army officers attempted another coup, but this time the entire High Command and the rest of the army explicitly disavowed it, and it was quickly thwarted.

148. Nonetheless, this attempt shows that the situation in Burundi remains volatile and could easily deteriorate. There are many problems that have yet to be resolved and that require concerted action at the national and the international levels.

V. CHALLENGES AND STEPS TO BE TAKEN

149. The problems facing Burundi are many, but most observers would probably agree that the primary imperative is to restore peace, confidence and security for all, so that all Burundis can live together as one people, not as two ethnic groups who oppose, fear and kill each other. There are no magic words that will produce that result; nevertheless, several measures are required, some to be

applied in the short term, but many more which must be viewed from a long-term perspective.

150. In general, it must be stressed that it is the Burundis themselves - their government, institutions, organizations and citizens - who can bring about the essential changes and take the necessary measures. The international community and the United Nations system can help, but they can only help; they cannot take the place of the actors on the national stage.

151. The following major tasks seem especially imperative:

(a) In order for Burundi to return to normal, it must restore the rule of law and ensure that each individual is judged fairly according to his actions. To achieve this and to build confidence, urgent efforts must be made to identify the perpetrators of the coup d'etat and the assassinations as well as those responsible for the massacres, and to bring them to trial. In other words, the state of impunity prevailing in the country must be brought to an end. Many of the individuals the Mission spoke with emphasized the importance of that issue;

(b) The task mentioned in the preceding paragraph is all the more difficult and sensitive because a vast majority of the population has no confidence in the judicial system, since most of the judges belong to one ethnic group, the Tutsi. Accordingly, it will be necessary either to reform the judicial system or to improve the balance within the system. Clearly this will take a long time. In the meantime, the possibility of providing external technical assistance in the form of special advisers, an international commission of inquiry, etc. should be considered;

(c) Another task related to those mentioned in the two preceding paragraphs is to make it possible for each citizen of Burundi to live in safety and to have confidence in his country's security system. This implies a reform of the army, which is essentially composed of one ethnic group, the Tutsi, the majority of whom (60 per cent) come from only one region in the south. But here again, this is a long-term project that can only be accomplished gradually and in cooperation with the army itself, over a period of several years. Here again, the international community could provide useful technical assistance by sending military experts. Transforming the army so that it is seen as a true "national corps" rather than as "a militia in the pay of the Tutsi", as it is sometimes called in Hutu circles, seems to be the only way to solve the growing problem of the arming of private militias and individuals. The general lack of confidence in the army and the sense of insecurity have resulted in the worrisome situation now prevailing in some areas of the country, with the accompanying violence and anarchy. As for the army, it should also be observed that there are many reasons why a reduction in troop strength would be desirable. Currently, the army (around 20,000 men) accounts for about one third of the State budget, which is excessive to say the least. Most Burundis agree in principle that it is necessary to reform the army's structures. But this is an extremely sensitive issue which requires a great deal of good will and diplomacy. Otherwise, it could easily become a source of renewed unrest;

(d) In reality, the problems and tasks mentioned above are part of a broader problem: how to ensure that all Burundi, whatever their ethnic group,

have equal opportunities within the society. Up to now, this has not been the case, and this state of affairs seems to feed the frustrations felt by so many Hutu because of their exclusion; it also goes a long way towards explaining why they often react with violence. This is, to a large extent, a behaviour problem which can be corrected through education, information and openness to dialogue. Education and information, especially of young people but also of adults, are essential. Many of the individuals the mission spoke with stressed the need to provide assistance to Burundi in the area of the establishment of democratic institutions and participation by the people;

(e) Land reform is a problem requiring special attention. In an over-populated and essentially agricultural country with a population growth rate of almost 3 per cent, issues surrounding land ownership are particularly sensitive. It is probably fair to say that the land issue coupled with the refugee problem was one of the reasons for the coup d'etat. With the arrival of a new wave of refugees following the massacres and the abandonment or burning of many farms, the problem has become particularly acute and complex. In order to ensure peace and stability in Burundi society, it must be resolved equitably. Here also, advice and external assistance appear to be needed;

(f) Last but not least is the need for economic development. Although Burundi is a fertile country, the World Bank ranks it eighth among the world's poorest countries, with, in 1992, a per capita GDP of 210 dollars. When political conflicts provoke such bitterness and violence, it is often because they have economic aspects linked to poverty. This report will not deal with Burundi's economic problems, but if the political stability of the country is to be ensured, it is important, while stressing the need to adopt rational internal policies, for United Nations agencies, the World Bank, the International Monetary Fund and donor countries to increase the economic and technical assistance they are already providing to Burundi, particularly during the difficult period following the coup d'etat.

VI. ROLE OF THE UNITED NATIONS SYSTEM AND THE INTERNATIONAL COMMUNITY

A. Presence of United Nations bodies in Burundi

152. It should be noted first that a number of United Nations bodies are already present in Burundi: FAO, UNHCR, WHO, WFP, UNDP, UNICEF and the World Bank. The Government of Burundi greatly appreciates the work of these bodies and it seems clear that their activities should be continued and even expanded.

153. The fact-finding mission met the representatives of these bodies during its stay in Burundi. It was favourably impressed by their activities, which focus on Burundi's current problems. However, peace and stability are essential to these bodies in order to carry out their work. The main consequence of the coup d'état and subsequent upheavals for the United Nations bodies has been that they have been forced to devote a greater proportion of their energies and resources to emergency measures, to the detriment of long-term development activities. This state of affairs is, of course, regrettable and it is hoped that it will not persist if peace and stability prevail.

154. In addition to the activities undertaken by the bodies already present in Burundi, assistance from UNESCO in the area of education would be particularly useful. The mission met a representative of this Organization who was visiting Bujumbura and he informed the mission that UNESCO had already made plans in that respect.

B. The Special Representative of the Secretary-General for Burundi

155. At a more political level, the Secretary-General of the United Nations has been represented in Burundi by his Special Representative, Mr. Ould Abdallah, since 25 November 1993. As indicated earlier, the highest authorities have frequently told the mission that the Special Representative's presence and activities were particularly valuable during the difficult period which prevailed after his arrival, especially in respect of the restoration of the Republic's political institutions.

156. These institutions are again in a somewhat uncertain situation, however, following the death of President Ntaryamira on 6 April 1994. In principle, the provisions regulating his succession are clear in view of the amendment which was made to the Constitution following the assassination of President Ndadaye (a new president must be elected by the National Assembly on the proposal of the party which won the most recent presidential elections).

157. However this procedure, which was followed for the election of President Ntaryamira, has again been contested by the Constitutional Court which, in a judgement of 18 April 1994, reaffirmed the opinion it had expressed earlier, namely that the amendment to the Constitution was illegal and therefore null and void. This judgement was delivered by the former Constitutional Court, which was subsequently dissolved and then reconstituted in an expanded form. This new judgement is giving rise to fresh doubts as to the possibility of ensuring succession in favourable conditions and could lead to considerable political difficulties in a precarious situation.

158. According to the most recent information, however, it seems that there is a good chance that the election of a new president by the National Assembly will go smoothly. Even so, the situation remains volatile and somewhat confused, as illustrated by a further attempt at a coup d'état on 24 April 1994. This situation could easily degenerate, leading to a new process of destabilization.

159. In these circumstances, the mission feels that it is important that the office of the Special Representative of the Secretary-General should be maintained. It also seems justified to expand this office somewhat, since it consists only of two professionals and one person in charge of secretariat services. There is certainly no question of establishing a large bureaucracy or of creating overlap between the activities of the office and those which can normally be carried out by other United Nations bodies.

160. In view of the problems just mentioned, the mission believes that it would be desirable to supplement the staff of the office of the Special Representative with a lawyer, a military expert and an expert in administration and to provide

for the necessary logistic support. In these three areas in particular, the Government of Burundi will have to take major decisions, whether they involve measures of adjustment or reform. It would be useful in such cases to have, on the spot, persons with acknowledged expertise in legal, military and administrative matters who could be consulted and could give opinions, establish contacts and, if necessary, request assistance from the United Nations and the international community. In the particular case of Burundi, the mission feels that an enhancement of the assistance provided in the form of an expansion of the office of the Special Representative of the Secretary-General could contribute to the consolidation of peace. It should be stressed that this arrangement would be for a limited period, the duration of which would depend on the development of the situation in Burundi.

161. The decision on this proposal to expand the office of the Special Representative of the Secretary-General for Burundi should, of course, be taken with the consent of the Government of Burundi, and the activities of the office should be carried out in a manner which respects Burundi's sovereignty.

162. The mission has the clear impression that a proposal of this nature would win the support and approval of the Government. During exchanges of views with several ministers and other political leaders, it was stressed many times that Burundi needed friendly outside assistance to facilitate the dialogue among the people of Burundi and promote the introduction and implementation of reforms in the sectors mentioned above, taking due account of the fundamental rights of each citizen and the need to ensure equality of opportunity.

163. Indeed, the proposal described above would probably be considered too modest by many people in the current circumstances. However, in view of the various constraints that exist and the manner in which this initiative could be perceived, the mission believes that it would be preferable to submit a proposal of limited scope, and that is what it has done.

C. International judicial fact-finding mission

164. One proposal which deserves careful consideration, now that the preparatory Mission has completed its political inquiry, is that, with the agreement of the Government, a mission should be sent which would concentrate on the legal aspects, so as to establish more precisely the responsibility for the events of October 1993 and identify the guilty parties so that they can be brought to justice. As indicated earlier, there is a strong desire in many circles in Burundi to get to the bottom of this matter and punish the guilty parties; this is regarded as an essential condition to enable the people of Burundi to make a new start on the road of legality and justice.

165. Up to now, because of their internal difficulties, the authorities of Burundi have not been able to carry out a proper national inquiry since the commissions established for this purpose did not get anywhere. It is possible, if not probable, that only an international judicial inquiry will produce the desired results. However, this is a very delicate question because of the political and other implications.

166. In view of this situation, one could envisage, instead of an international judicial fact-finding mission, a more limited alternative which would consist of making available to the Government of Burundi several internationally recognized legal experts for a fixed period. These experts could cooperate with the magistracy of Burundi as advisers so that justice can be served in respect of the events of October. Whatever decision is taken in respect of these proposals, it should be worked out in detail with the Government of Burundi.

D. Presence of military and civilian observers

167. The task of posting military and civilian observers in Burundi was entrusted to OAU and should probably continue to be. The progression of the OAU operation, from MIPROBU (180 soldiers and 20 civilians) to the Observer Mission (MIOB) (47 observers and some civilians), and the delays which resulted, show how delicate the question is. It demonstrates the differences of opinion among those from the presidential majority close to FRODEBU who are in favour of a strong external military presence in Burundi and those, from the opposition and the army, who do not want the presence of such an "overseer" in Burundi.

168. The compromise solution which was selected - 47 military observers and a limited number of civilians - does now seem to have been accepted by everyone. This contingent is still only partially deployed, but should be fully deployed over the next few weeks. At Addis Ababa the mission strongly urged OAU to accelerate the deployment of the observers. The United Nations should support the activities of OAU through the trust fund which is envisaged. In that regard the Secretary General of OAU, while welcoming the plan for the fund, said that he would prefer it if contributions from donor countries were made directly to OAU, in accordance with normal OAU procedures, rather than through the United Nations.

169. The Minister of State for the Interior and Public Security, Mr. Léonard Nyangoma, said recently at Brussels that at least 5,000 foreign soldiers were needed in Burundi. The Government dissociated itself from that remark, indicating that the Minister of State had been speaking only in his private capacity. This denial was later criticised by the majority party, FRODEBU, which shows how much opinions can vary on this issue.

170. The situation in Burundi must be viewed in the light of what is happening in Rwanda. The events which are taking place in each country tend to have an influence on the other. It has to be recognized that further destabilization in Burundi - or continued instability in Rwanda - is also liable to have destabilizing effects in the neighbouring countries. The United Nations and OAU must therefore carefully monitor the development of the situation in Burundi and must be prepared, if necessary, to increase the number of military and civilian observers.

E. Burundi, a new and fragile democracy

171. Burundi is a new, fragile and weak democracy which has many handicaps to overcome. It needs support from the United Nations, OAU and friendly countries

in Africa, Europe and elsewhere, and it deserves that support. Burundi must not be given the impression of having been forgotten or marginalized. This would not only be unfair, but would also be liable to have disastrous and costly consequences, as was seen recently in the case of the events in Rwanda or, indeed, in Somalia. The international community must show a positive interest in the development of Burundi in peace and justice.

172. Needless to say, there are many ways in which the international community can show support and interest in democracy in Burundi. For example, the presence of the United Nations Secretary-General at the ceremony when the next President of Burundi takes office would be concrete proof of that support and interest.

173. The Commission on Human Rights and the United Nations High Commissioner for Human Rights should pay special attention to Burundi by closely following the development of the situation, through a special rapporteur, and by providing technical assistance with a view to developing a culture of respect for human rights, particularly the right to life, in Burundi. This assistance could be provided in the form of training services, workshops and seminars, placing particular emphasis on coexistence, on the basis of tolerance, trust and dignity, regardless of ethnic affiliation. Non-governmental organizations could play a major role in this undertaking.

F. International conference on Burundi and Rwanda under the auspices of the United Nations

174. As this report is being finalized, the situation in the region is at best precarious and at worst desperate and tragic. It has greatly deteriorated in Rwanda but improved a little in Burundi after the mission's arrival at Bujumbura on 22 March 1994.

175. In line with the mission's mandate, in this report the emphasis has been placed on Burundi, and proposals have been made regarding some of Burundi's main problems. However, it has become increasingly clear to the mission that it is impossible to consider the situation in Burundi without taking into account what is happening in Rwanda. As indicated earlier, the situation in these two countries also has consequences for the neighbouring countries, particularly the United Republic of Tanzania, Uganda and Zaire.

176. Among the proposals mentioned in the talks which the mission had during its stay, it was suggested that an international conference on Burundi should be organized. The mission believes that such a conference could be useful, but that it would be even more useful if it were made broader and more regional in scope, that is to say, if it also concerned Rwanda and Burundi's other immediate neighbours.

177. Left to themselves, Burundi and Rwanda are small and fragile entities which can easily be destabilized, and this could have serious consequences for the region as a whole. For this reason it would perhaps be best to work for the establishment of a regional whole, which would be characterized by greater solidarity and stability. Both Africa and the rest of the international

community should intensify their efforts to help establish peace in Burundi and Rwanda.

178. Accordingly, it is suggested that an international conference on Burundi and Rwanda should be organized under the auspices of the United Nations. Such a conference should take up the specific problems of the region, aiming for closer cooperation in both the political and the economic fields. In order to be successful, such a conference should be carefully prepared, and should be assured in advance of the cooperation and participation of all the parties concerned. The Secretary-General could perhaps appoint a special representative for this purpose.

179. The Conference's agenda should be considered in greater depth, and some of the problems mentioned in this report should no doubt appear on it. By placing in a broader context the national problems which, at least for Burundi and Rwanda, are largely similar, and by seeking external support and assistance, it is to be hoped that a more solid and lasting basis can be provided for peace and stability.

VII. SUMMARY OF OBSERVATIONS AND RECOMMENDATIONS

180. The tragic events which took place in Burundi in October 1993 should be considered in the light of the historical, political and economic and social situation which has prevailed in Burundi, especially since its accession to independence in 1962, in which the ethnic factor has played a decisive role, with a backdrop of fear.

181. This situation has been marked by a series of bloody events and coup d'état which, with the support of the army - made up of people of the same ethnic group - have secured and consolidated the dominance of the Tutsi ethnic group over the Hutu majority. The Hutu majority has been practically excluded from power during this period.

182. The majority, being thus forced into submission and resignation, were filled with feelings of frustration, hatred, hostility and vengeance, whereas the minority were haunted by the fear of being overcome, or even exterminated, by the majority.

183. The victory of FRODEBU in both the presidential and legislative elections, on 1 and 29 June 1993, gave the Hutu majority what must have been an unexpected opportunity to take over the running of the country.

184. That was to lead, in certain opposition circles, to rejection of the new political majority and refusal to accept the democratic changeover of power as evidenced in the demonstrations by students and school children against the presidential election results, and the abortive attempt at a coup d'état on 3 July 1993.

185. There are clear signs, all of them strongly suggesting that there was at least some connection between the coup d'état of 3 July 1993 and that of

21 October 1993 in which the new Head of State, President Melchior Ndadaye, and four other FRODEBU leaders were assassinated.

186. The aim of the latter coup was apparently to leave the State and FRODEBU without leadership, and paralyse the country's institutions.

187. There seems to be no doubt that the coup was planned by army units and that it was carried out by troops led by certain officers and non-commissioned officers and by certain senior officers, including some who had taken part in the coup d'état of 3 July 1993. There is every indication that, in addition to those units, individuals belonging to political, civil and military circles were also involved.

188. The Hutu majority saw the coup d'état of 21 October 1993, and especially the assassination of the President, as a rejection by the Tutsi minority, UPRONA and other opposition parties, of the new Hutu-led Government, and as a challenge to the democratic system.

189. These events promptly triggered interethnic massacres of a particularly horrifying and barbaric nature. The Hutu reacted with a violent and bloody attack on the Tutsi, prompting the latter to react, in turn, in similar fashion.

190. In some cases, army units who had been sent to the provinces to restore order, stop the massacres and protect the population, engaged in acts of reprisal and extreme cruelty which were often directed selectively at the Hutu population. However, the part played by the army was not invariably negative; in many areas, it succeeded in containing or preventing the massacres.

191. The provincial administration, set up by the new Government, did not always live up to its responsibilities; some of its members incited or encouraged the Hutu population in the massacres.

192. Close collaboration between the army and the provincial administration, where it did occur, proved to be extremely beneficial.

193. Whatever preventive measures the Hutu people may have taken as a matter of instinctive self-defence, and no matter how they may have been influenced by the statements of ministers who were FRODEBU leaders, we must not lose sight of the central fact, namely, that it was the refusal to accept the democratic changeover of power resulting from the choices made by the sovereign people of Burundi and, more particularly, the assassination of the President, which were the determining factors that caused the people, who had long been dominated and thwarted in their rights and aspirations, to react.

194. Having analysed the events, and the accounts given by witnesses, the mission believes that these massacres were not brought about by any premeditated plan for the extermination of the Tutsi ethnic group by the Hutu. They were the consequences of the coup d'état and political assassinations of 21 October 1993.

195. By carrying out the coup d'état and political assassinations, the putschists and the people behind them committed a serious crime and must,

therefore, bear the main responsibility for the dreadful and tragic events which followed.

196. This in no way diminishes the responsibility of the population groups which took part in the massacres.

197. The mission however considers that some moral responsibility at least must be borne by those political leaders who gave insufficient consideration, both during electoral campaigns and in the course of the events themselves, to the effect their statements were having on the supporters of their respective parties.

198. As stated above, the Hutu, the Tutsi, the army, and even the political leaders must all share responsibility for the massacres, albeit in differing degrees.

199. The mission arrived in Bujumbura five months after the coup d'état of 21 October 1993. Much was accomplished during those five months to enable the people of Burundi to return to a normal way of life. The country's institutions have been gradually repaired, new posts have been filled where necessary, and on the whole law and order have been restored.

200. The mission has, however, also noted some negative events, such as acts of violence and destruction, and killings, in certain districts of the town of Bujumbura which had been spared during the October massacres.

201. An enormous amount of work remains to be done. Naturally, the people of Burundi themselves have to make the necessary efforts to rebuild their country, heal their wounds, and reconcile themselves in order to live together in harmony, peace and security. In addition, they must undertake the following tasks:

(a) Restore peaceful and harmonious coexistence among the different components of the nation; establish genuine rule of law, guarantee especially the right to life, in order to put an end to the present state of impunity; identify and prosecute those who carried out the coup d'état, the assassinations and the massacres, as well as those behind the operation; reform the judiciary, and open it up to a much wider segment of the population;

(b) Re-establish security for all citizens of Burundi, without exception; to that end, reform and wider access to the army; disarm private militias and possessors of illicit arms;

(c) Land reform, in connection with the issue of returning refugees; rebuild infrastructures and the various structures destroyed or damaged; reintegrate displaced and/or dispersed persons, including refugees into the workforce;

(d) Continue economic development, and fight poverty and sickness; reform the educational system to give everyone free access to all disciplines and all levels of education; fight illiteracy.

202. The mission considers that the international community and the United Nations have a duty to support the efforts of the people of Burundi, and give them the necessary assistance to enable them to achieve these goals.

203. On the basis of the above list of tasks, which is not exhaustive, the mission proposes that the United Nations, the Organization for African Unity and the world community should undertake or continue the following actions:

(a) Continue and strengthen the actions of those agencies and organs of the United Nations system already present in Burundi: FAO, UNHCR, WHO, WFP, UNDP, UNICEF, and the World Bank; special assistance from UNESCO in the field of education; continuing and increased aid from traditional or potential donor countries; continue as long as necessary the emergency aid provided by the United Nations system, ICRC and non-governmental organizations;

(b) Maintain and reinforce the office of the Special Representative of the Secretary-General, Mr. Ould Abdallah, who has played a particularly useful part, especially in getting government institutions to function again. In that regard, the mission proposes that a legal expert, a military expert and an administrative expert, all highly qualified and having considerable experience in their respective fields, should be appointed to assist the Special Representative of the Secretary-General in his mission. His office, provided with appropriate logistical support, would continue to function for a limited period, to be determined according to how the situation in Burundi develops;

(c) Bearing in mind the reservations expressed as to the neutrality of the judiciary, send an international judicial mission, in consultation with the Burundi authorities, to investigate the crimes committed during the events of October 1993, to identify those responsible so that they can be brought to justice. Another alternative to sending a judicial mission would be to make available to the Government of Burundi a number of experts who would act as advisers to help the competent authorities in Burundi to carry out the same task;

(d) Support, through the proposed Trust Fund, the presence of the 47 military observers and the small number of civilians from the Organization of African Unity, in accordance with the agreements reached between the Organization of African Unity and the Government of Burundi. In monitoring the situation in Burundi, it is necessary to keep an eye on events in Rwanda, and to bear in mind that the number of observers could be increased if the circumstances should require;

(e) Continue support from the international community for the democratic process and the promotion of human rights in Burundi;

(f) Organize an international conference on Burundi and Rwanda, under the auspices of the United Nations. The conference, focused on regional issues, would aim to strengthen security, stability, and cooperative links among the countries in the region.

It might be desirable for the preparation of such a conference to be entrusted to a representative appointed by the Secretary-General.

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NINTH PROGRESS REPORT OF THE SECRETARY-GENERAL ON THE UNITED NATIONS OBSERVER MISSION IN LIBERIA

I. INTRODUCTION

1. The present report is submitted in pursuance of paragraph 2 of Security Council resolution 972 (1995) of 13 January 1995, by which the Council extended the mandate of the United Nations Observer Mission in Liberia (UNOMIL) for a period of three months, until 13 April. In the same resolution, the Council requested me to report by 1 March on the situation in Liberia, on the role of UNOMIL and of the Economic Community of West African States (ECOWAS) Monitoring Group (ECOMOG), including the needs of ECOWAS States to maintain their troops in ECOMOG. The report covers the main developments in Liberia since my last report of 6 January 1995 (S/1995/9) and contains some options for addressing the continuing stalemate in the peace process.

II. POLITICAL ASPECTS

2. It will be recalled that the agreements signed by the Liberian parties in Accra on 21 December 1994 (hereinafter referred to as the Accra agreement) comprised the acceptance and accession agreement and the agreement on the clarification of the Akosombo agreement (S/1995/7, annexes I and II). The Accra agreement clarified the terms of the Akosombo agreement (S/1994/1174, annex), signed on 12 September 1994 by the National Patriotic Front of Liberia (NPFL), the Armed Forces of Liberia (AFL) and the Alhaji Kromah wing of the United Liberation Movement of Liberia for Democracy (ULIMO-K), and provided a specific timetable for the implementation of the peace plan. It also provided an opportunity for those factions and civilian leaders who had not signed the Akosombo agreement - namely, General Roosevelt Johnson's wing of ULIMO (ULIMO-J), the Lofa Defense Force (LDF), the Liberian Peace Council (LPC), the breakaway NPFL group known as the Central Revolutionary Council (CRC-NPFL) and the Liberia National Conference (LNC) - to accept the terms and conditions of that agreement as modified. The Accra agreement also reaffirmed the Cotonou agreement (S/26272, annex), signed on 25 July 1993, as the basic framework for peace in Liberia. In reaffirming the Akosombo agreement, it added further detail to those aspects of the Cotonou agreement that were either too general or, for other reasons, had proved deficient in their implementation.

3. In accordance with the timetable set out in the Accra agreement and as noted in my last report, the Liberian parties re-established the cease-fire at midnight on 28 December 1994 and were to have nominated a new five-member Council of State within two weeks thereafter, i.e., by 11 January 1995. NPFL, ULIMO, the AFL/Coalition and LNC were each to nominate one member to the new Council of State and the fifth member was to be a traditional chief jointly selected by NPFL and ULIMO in the person of the Honourable Tamba Tailor. The Liberian parties met in Accra, under the auspices of ECOWAS, on 9 January to consult on the composition of the Council of State, with a view to installing it by 11 January. However, they were not able to reach agreement on its composition and chairmanship.

4. In its resolution 972 (1995) of 13 January, the Security Council expressed deep concern at the failure of the Liberian parties to reach agreement at the talks in Accra and called upon them to implement all aspects of the Accra agreement in accordance with the timetable set out therein. The main bottleneck to reaching agreement on the Council of State was the inability of the AFL and Coalition forces (ULIMO-J, LDF, LPC and CRC-NPFL) to reach agreement on their joint nominee. Nominees from the other parties included Charles Taylor, President of NPFL; Alhaji Kromah, Chairman of ULIMO-K; and Oscar Quiah, representative of LNC.

5. In a further effort to break the deadlock, President Rawlings invited the heads of State of the ECOWAS countries most intimately concerned with the problem to assist in helping the factions to reach an agreement. On 24 January 1995, President Blaise Compaore of Burkina Faso, President Lansana Conte of Guinea, President Sani Abacha of Nigeria and the Minister for Foreign Affairs of Côte d'Ivoire met in Accra for this purpose. My Special Representative was also present in Accra for these consultations. The heads of State recommended the expansion of the Council to six members in order to enable the AFL and the Coalition forces to be represented separately. In accordance with this recommendation, AFL nominated its Chief of Staff, General Hezekiah Bowen, and the Coalition forces nominated Mr. Thomas Woewiyu to represent them on the Council of State.

6. Mr. Woewiyu's nomination was, however, unacceptable to NPFL, which indicated that it would accept the proposal of a six-member Council only if the Coalition forces did not designate a former member of NPFL as its nominee, and as long as NPFL was given responsibility to nominate the Chairman. The Coalition, however, insisted on the nomination of Mr. Woewiyu. On 30 January, after almost one month of intensive but unsuccessful efforts to bring the parties to agreement, the Chairman of ECOWAS informed the parties that they should return to Liberia to continue their deliberations.

7. It will be recalled, in this regard, that it took the parties some six months to install the present Council of State, which, in accordance with the Cotonou agreement, should have been installed within 30 days of its signing. The parties' failure to install the new Council of State in a timely manner led to massive demonstrations in Monrovia on 14 January. These appeared to be aimed at certain faction leaders and resulted in injuries to both innocent civilians and party members, as well as the destruction of property. The security

situation in Monrovia has since improved, thanks to the efforts of ECOMOG to maintain calm.

8. After the meeting of the factions in Accra broke up on 30 January, NPFL, ULIMO-K and AFL met among themselves and proposed to the Chairman of ECOWAS that the five-member Council be retained, with Chief Tamba Tailor as its Chairman, and NPFL, ULIMO-K and AFL designated as its Vice-Chairmen, with equal standing. They recommended that the three Vice-Chairmen, as well as the nominee of LNC, be given oversight responsibilities of the various ministries and that the Coalition be given the opportunity to appoint certain ministers. The Chairman advised them to consult with the other Liberian parties who were not involved in their discussions with a view to obtaining their support for the agreement. This support seems not to have materialized and the proposal has apparently been dropped. Chief Tamba Tailor has since taken up consultations inside Liberia with the main protagonists and other prominent Liberians with a view to resolving the problems that have prevented the installation of the new Council.

9. In accordance with the Cotonou and Accra agreements, the Council of State is essentially a temporary arrangement for sharing the responsibility of governance until elections are held, but the attitude of the parties suggests that they consider the Council of State as a means to strengthen their respective positions and gain further influence. It appears, moreover, that they are not yet ready to rise above their limited individual interests and to focus their attention on the fundamental issues of national reconciliation and the establishment of a foundation for a democratic process giving a voice to all Liberians.

10. During the last two and a half months, my Special Representative has continued his consultations with the Liberian leaders and has met the heads of State and senior officials of Burkina Faso, Côte d'Ivoire, Ghana, Guinea, Nigeria and Sierra Leone. He has also held extensive discussions with the Chairman of ECOWAS. The leaders stressed their frustration and impatience at the inability of the Liberian parties to reach the agreements necessary to install the Council of State. They recounted the loss of life and the financial burden that they, and the countries contributing to the expanded ECOMOG, have endured and the strenuous efforts they have made to assist the Liberian parties to reach a lasting solution to their conflict.

11. In this context, some ECOWAS heads of State expressed the view that the recalcitrance of the Liberian parties was due, in part, to a lack of harmony that States members of ECOWAS have shown in their policies towards Liberia. While some of the leaders stressed the need for the international community to become more involved in Liberia, others seemed more determined, at least in the short term, to remain engaged themselves in the search for a solution to the Liberian problem.

12. Under resolution 972 (1995), the Security Council expressed the hope that the ECOWAS States would convene, at the earliest possible date, a summit with a view to harmonizing their policies on Liberia and promoting the implementation of the Accra agreement, including tightening the application of the arms embargo. While these leaders generally supported the idea of a summit, some felt that such a meeting would be more effective if held at a later stage.

13. The participation of my Special Representative in the intensive efforts undertaken by the Chairman of ECOWAS to promote the implementation of the Accra agreement has significantly increased the workload of the political component of UNOMIL, which was already seriously understaffed. I am therefore taking steps to deploy to UNOMIL a few additional staff members, within the resources provided to it under resolution 866 (1993), to assist my Special Representative in his efforts to support the peace process.

III. MILITARY ASPECTS

A. Status of the cease-fire

14. In my report of 6 January, I informed the Security Council that, following the signing of the Accra agreement on 21 December, a cease-fire had come into effect at midnight on 28 December 1994. Since then the cease-fire has generally held. In recent weeks, however, UNOMIL has received an increasing number of reports of low-level skirmishes between NPFL and LPC, especially in the south-eastern region of the country.

15. UNOMIL has reported that these skirmishes seem to have resulted from attempts by field-level commanders and combatants to steal food and property from civilians. The humanitarian agencies located in the city of Buchanan have reported an increase in the number of displaced people in Grand Bassa and Rivercess counties as a result of NPFL and LPC activity (see map). They have also reported that LPC combatants have harassed relief workers in Buchanan and have infiltrated camps for internally displaced persons to steal property and food.

16. The Chief Military Observer of UNOMIL has reminded the leaders of both NPFL and LPC of their commitments under the Accra agreement to maintain the cease-fire and to ensure that their combatants do not harass innocent civilians. These leaders have indicated that their combatants have acted on their own and they have assured the Chief Military Observer that they will attempt to regain control over their combatants and put a stop to the harassment of civilians. The Chief Military Observer has also raised this problem with ECOMOG, which is deployed extensively in and around Buchanan.

B. Role of ECOMOG

17. In paragraph 5 of resolution 972 (1995), the Security Council requested me to report on the role of UNOMIL and of ECOMOG in Liberia and the resource requirements of ECOWAS States to maintain their troops in ECOMOG. Accordingly, I dispatched a small technical team to Monrovia, which, under the direction of my Special Representative and the Chief Military Observer, held detailed consultations from 6 to 10 February 1995.

18. ECOMOG informed the technical team that its present strength is about 8,430 troops, organized in 10 self-contained infantry battalions. The Government of Nigeria contributes the bulk of the force (4,908), while troops are also provided by the Governments of Ghana (1,028), Guinea (609), the United

Republic of Tanzania (747), Uganda (760) and Sierra Leone (359). Smaller contingents are also provided by the Gambia (10) and Mali (10). The Government of the United Republic of Tanzania has recently informed me of its intention to withdraw its contingent from ECOMOG because of the financial burden involved in maintaining its troops in Liberia and the lack of progress in the peace process. With the withdrawal of the Tanzanian contingent, the strength of ECOMOG will be reduced to 7,684 all ranks.

19. The main military functions of ECOMOG, in accordance with the Cotonou and Accra agreements, are the protection of civilians in safe havens; establishment and provision of security for assembly sites, where the combatants will initially congregate pending disarmament; establishment of and provision of security for encampment sites where ECOMOG will disarm combatants and carry out other activities related to demobilization; assistance in the enforcement of the arms embargo through the establishment of border crossing points and patrols; and maintenance of general security throughout the country.

20. ECOMOG's concept of operations includes the maintenance of a force headquarters in Monrovia and the deployment of troops in the current four sectors of the country as follows: 9 safe havens (9 battalions); 10 assembly sites (3 battalions); 10 encampment sites (3 battalions); 13 main entry points along the borders, airports and seaport (1 battalion).

21. In accordance with the Cotonou and Accra agreements, ECOMOG's operation for the demobilization of combatants, in collaboration with the Liberian National Transitional Government and with the observation and monitoring of UNOMIL, was to take place in the following time-frame:

Phase 1 (36 days): Verification of disengagement of combatants, preparation of safe havens, assembly sites and encampment sites;

Phase 2 (84 days): Deployment to safe havens and assembly sites;

Phase 3 (60 days): Deployment to encampment sites and disarmament;

Phase 4 (60 days): Conclusion of the demobilization process.

22. Some of the above phases would have taken place simultaneously but the entire process of demobilization would take some six months.

23. In accordance with the Accra agreement, the exact location and number of assembly and encampment sites would be determined by ECOMOG and the Liberian National Transitional Government, in consultation with the factions and UNOMIL. Given the present stalemate in the installation of the Council of State, such consultations have not yet taken place.

C. Needs of ECOWAS

24. In order to carry out its responsibilities under the Accra agreement, as described above, ECOMOG has indicated that it would require a force of some 12,000 all ranks. The present troop strength would, therefore, need to be

reinforced by seven additional self-contained battalions (about 4,250 troops), taking into account the proposed withdrawal of the Tanzanian contingent. ECOMOG has stated that it would be preferable for these troops to be contributed by countries members of the Organization of African Unity (OAU), provided satisfactory financing arrangements could be made.

25. The Force Commander of ECOMOG provided details of the logistic and other requirements to enable ECOMOG (at a troop strength of 12,000 all ranks) to carry out its tasks under the Accra agreement. A summary of these requirements, which has been approved by the Chairman of ECOWAS, is presented in annex I. The countries which initially contributed troops to ECOMOG continue to bear most of the financial burden of maintaining their troops in Liberia. Approximately 90 per cent of the $17 million that has been provided to ECOMOG through the Trust Fund has been earmarked for the two battalions which make up the expanded contingents of ECOMOG and only 10 per cent for the initial ECOMOG force. However, some 20 trucks have been provided by the Government of Germany for the use of ECOMOG.

D. Role of UNOMIL

26. Because of the security situation in the country, the 78 military observers and seven paramedical staff serving with UNOMIL are deployed only in the greater Monrovia area, including Buchanan and Kakata. Should UNOMIL be brought back to full strength, it is estimated that 303 military observers and 16 medical staff would be required to enable it to perform the tasks entrusted to it under resolution 866 (1993). These personnel would be deployed as follows:

UNOMIL headquarters (Monrovia): 25 observers;

4 regional headquarters (Monrovia, Tubmanburg, Gbarnga and Tapeta): 8 observers in each site, for a total of 32 observers;

41 observer teams: 6 observers in each team to be deployed at safe havens, assembly and encampment sites and border crossings and for investigations, for a total of 246 observers;

Medical component: 3 doctors and 13 paramedical personnel at UNOMIL headquarters and 3 regional headquarters, for a total of 16 staff.

E. Military provisions of the Accra agreement

1. Responsibilities of the Liberian parties

27. In accordance with the Accra agreement, the parties, in consultation with the Liberian National Transitional Government, UNOMIL and ECOMOG and the appropriate international organizations, were to have undertaken the following activities:

D-day
- Cease-fire (28 December 1994)
- Factions inform combatants of cease-fire

D-day + 2 wks - Installation of the Council of State
- Disengagement of forces
- Establishment of Cease-fire Verification Committee composed of representatives of UNOMIL, ECOMOG, the Liberian National Transitional Government and the warring factions

D-day + 3 wks - Combatants move to assembly/encampment sites

D-day + 7 wks - Demobilization process begins

D-day + 21 wks - Preparations for elections begin

D-day + 42 wks - Elections

28. In addition to the above, the Liberian National Transitional Government was to have immediately put in place internal security arrangements, including police, customs and immigration, and begun the formation of an appropriate national security structure, i.e., the restructuring of AFL so that it could assume its character as a national army. These measures would, inter alia, facilitate the disarmament process, as they were meant to absorb qualified combatants. The Liberian National Transitional Government was also to conclude a status-of-forces agreement with ECOWAS within four weeks of the signing of the agreement. The Council of State was to have established appropriate committees charged with determining the criteria for recruitment of combatants and non-combatants into a restructured national army, as well as police, immigration and other internal security agencies. Because of the delay in installing the Council of State, none of these activities has yet taken place.

29. Under the agreement, the factions committed themselves to the regroupment of their combatants to encampment sites and to maintain command and control over them while they remained at these sites. They also called on the Liberian National Transitional Government, the United Nations, OAU, ECOWAS, other international organizations and donor countries to design a programme under which financial assistance could be provided for the process of demobilization, retraining, rehabilitation and the reintegration of former combatants into normal civilian community life.

2. Outstanding issues

30. The Accra agreement is based on several assumptions that could, in addition to the intractability of the parties, affect its implementation. The parties assumed that the assembly and encampment sites would be established by ECOMOG, UNOMIL and the Liberian National Transitional Government, in collaboration with them, from four to eight weeks after the establishment of the cease-fire. However, the establishment of encampment sites is not within UNOMIL's mandate as established under resolution 866 (1993). The parties also assumed that financial assistance would be forthcoming on a voluntary basis for demobilization, the establishment of internal security mechanisms and the restructuring of the national army. Such funding has not, however, been secured.

31. It is evident that certain aspects of the peace process need greater coordination. For example, some crucial issues relating to the demobilization process have yet to be coordinated. These include the transportation of combatants to encampment sites and their home communities, provision of food and other supplies for combatants and their families while they are at the assembly and encampment sites, the construction of these sites and the coordination and financing of the reintegration of combatants, as well as war-affected civilians, into Liberian society.

32. There is also a need for better coordination at all levels between ECOMOG and UNOMIL. It is my intention to recommend to ECOWAS that a Joint ECOMOG-UNOMIL Liaison and Coordination Cell be established in ECOMOG headquarters with a view to enabling UNOMIL and ECOMOG to coordinate more effectively the implementation of their respective mandates.

33. The implementation of the Accra agreement will also depend on the provision of the resources necessary for ECOMOG to carry out its responsibilities. The technical team found that the resources and logistic assets of ECOMOG were clearly insufficient for it to carry out its tasks effectively. Accordingly, the team concluded that ECOMOG's estimates of its logistic support requirements were justified. The team was not convinced, however, that seven additional battalions would be required for the implementation of ECOMOG's concept of operations.

34. It is unlikely that all the resources required for ECOMOG could be provided through voluntary contributions. I have therefore asked the Chairman of ECOWAS to indicate which areas of the budget the troop-contributing countries would be prepared to continue financing and which are the critical areas for external financing on a voluntary basis. In this context, it should be noted that close to 25 per cent of the budget is required for stipends of $5 per day for each soldier.

35. Finally, the implementation of the agreement may also be affected by the weather patterns of Liberia. If the process is delayed into the rainy season (April to September), the movement of combatants, refugees and internally displaced persons is likely to be more difficult and to create additional delays.

IV. HUMANITARIAN ASPECTS

36. Developments relating to the Accra peace process have had little effect on humanitarian assistance activities in Liberia. The absence of credible security guarantees from the factions continues to prevent the sustained expansion of relief activities beyond those areas of Grand Bassa, Margibi and Montserrado counties that are controlled by ECOMOG. While sustained emergency relief activities are limited to greater Monrovia and Buchanan town, the number of non-combatants within Liberia who have been affected by the conflict has reached 1.8 million. Of this number, 1.5 million persons are being provided with life-saving assistance in those zones where United Nations agencies and their relief partners are able to operate. In addition to those civilians within Liberia affected by the conflict, the most recent available information shows that there

are now 870,000 Liberian refugees in Côte d'Ivoire, Guinea, Sierra Leone, Ghana and Nigeria.

37. The humanitarian crisis in Monrovia itself is of particular concern and continues to be aggravated by a steady flow of internally displaced persons, seeking refuge, and a small number of combatants wishing to demobilize. Built to support a population of 300,000, Monrovia is now sanctuary to over 1.3 million people. The strain on the war-damaged infrastructure of the city and on relief organizations is tremendous. Although United Nations agencies, non-governmental organizations (NGOs) and national organizations (including the Liberian Refugee, Repatriation and Resettlement Commission) have been able to respond to the city's steadily rising needs, they are approaching the limits of their capacity to do so.

38. Success in responding to rising needs in Monrovia and throughout ECOMOG-controlled areas has been due largely to operational coordination among relief partners. This coordination and the resultant complementarity of activities is well illustrated by the implementation of water, sanitation and shelter programmes in the camps for internally displaced persons in Buchanan, where United Nations agencies, NGOs and national organizations are assisting a growing number of displaced Liberians.

39. On 3 February, I launched an inter-agency consolidated appeal for Liberia, for the six-month period January to June 1995, seeking the US$ 65 million in extrabudgetary resources required by United Nations agencies to continue to carry out life-saving interventions in a number of key emergency sectors. While the appeal sought funds for activities to be undertaken in those areas of Liberia secured by ECOMOG, it also made allowance for the possibility of expanding humanitarian assistance programmes to other areas, should security conditions allow.

40. In accordance with this strategy, a number of United Nations agencies and NGOs undertook exploratory initiatives in January to expand the scope of their operations. As a result, preliminary assessments of long cut-off areas were carried out, both across the border from Côte d'Ivoire and across the front line from Monrovia. Previously inaccessible areas of Nimba county and the towns of Totota, Gbarnga and Salala were visited by relief teams. A number of international NGOs have also made preliminary overtures to the factions concerning the possibility of commencing activities on a larger scale.

41. For more than a year, the relief community in Liberia has been frustrated by the factions' disregard for humanitarian mandates. January's activities represent efforts to re-establish operating relationships destroyed by the looting of United Nations and NGO equipment and abuse of relief staff. Although these are positive developments, it must be stressed that they do not represent a definitive or even significant change in the factions' approach to the delivery of relief assistance. The internally displaced persons who have recently entered Buchanan from inaccessible areas describe the conditions in these areas as dire. Until viable security guarantees are provided and sustained by the factions, relief activities outside ECOMOG-controlled areas will continue to be sporadic.

42. My Special Representative and the United Nations Humanitarian Coordinator in Liberia will continue to press the factions to increase access to populations in need. The success of such a campaign will require a fully coordinated effort on the part of the humanitarian assistance community. This same coordinated approach will have to be brought to bear in the development of demobilization programmes for ex-combatants. To date, targeted demobilization activities by the humanitarian assistance community are limited to a food-for-work programme for ex-combatants in the Monrovia area.

V. FINANCIAL ASPECTS

43. The General Assembly, by its resolution 49/3 of 3 December 1994, authorized me to enter into commitments in an amount not to exceed $1,593,800 gross ($1,511,100 net) per month for a period of six months beyond 13 January 1995 for the maintenance of UNOMIL, subject to its mandate being extended by the Security Council.

44. As at 13 February 1995, unpaid assessed contributions to the UNOMIL special account since the inception of the Mission amounted to $11.3 million. The total of outstanding assessed contributions for all peace-keeping operations was $2,119 million. In order to provide UNOMIL with the necessary cash flow, a total of $2.8 million has been borrowed from other peace-keeping accounts. These loans remain unpaid.

45. Contributions to the Trust Fund for the Implementation of the Cotonou Agreement in Liberia as at 13 February 1995 totalled $18.4 million and disbursements of $17.4 million had been authorized. The Government of the United States has contributed $16.5 million, primarily earmarked for the expanded contingents of ECOMOG. The Government of the United Kingdom of Great Britain and Northern Ireland has provided $1 million for humanitarian assistance. The Governments of the Netherlands and Denmark have provided $261,584 and $294,616 respectively in unearmarked funds, which were used for stipends. The Government of Germany provided 20 trucks for the use of ECOMOG and the Government of Norway has contributed $291,056 in unearmarked funds. No Member State has indicated its intention to provide significant resources for ECOMOG for the year 1995.

VI. OBSERVATIONS AND CONCLUSIONS

46. As the present report shows, the peace process in Liberia is, once again, at a standstill. The signing of the Accra agreement on 21 December 1994 and the coming into force of a cease-fire one week later had generated some hope that the civil war that has inflicted so much suffering on the Liberian people might be coming to an end. However, two months later, the Liberian factions and political leaders are still haggling over the composition and chairmanship of the Council of State and have yet to show that they are genuinely committed to the fulfilment of their obligations under the Accra agreement. Moreover, their inability to re-establish a cease-fire verification committee, as stipulated in the Accra accord, threatens the already fragile cease-fire.

47. With the failure of the Liberian parties to implement yet another agreement, despite the untiring efforts of the Chairman of ECOWAS, I feel that the time has come to consider carefully how the international community can continue to assist in the search for peace and stability in Liberia and what form this assistance should take.

48. In this connection, it is worth recalling the efforts that ECOWAS and the international community have made over the past five years to support the Liberian peace process. ECOWAS first deployed its monitoring group, ECOMOG, in Liberia in August 1990. Since then, numerous peace agreements have been concluded, only to be broken. The most important, signed in Cotonou on 25 July 1993, assigned to ECOMOG the primary responsibility for assisting the Liberian parties in the implementation of a detailed peace plan providing for a seven-month transitional process leading to free and fair elections. ECOMOG troops were to be deployed throughout Liberia to ensure compliance with the arms embargo, create buffer zones along the country's borders and supervise the cantonment, disarmament and demobilization of combatants. The Cotonou agreement also called for the ECOMOG force to be strengthened by troops contributed by OAU countries outside the west African region. UNOMIL, established on 22 September 1993 by Council resolution 866 (1993), was entrusted with the task of observing and monitoring the implementation of the agreement.

49. In view of the financial burden that the countries contributing troops to ECOMOG had carried since 1990, the Security Council welcomed my decision to establish a trust fund under which Member States could provide voluntary contributions for both the initial and new contingents of ECOMOG. In my report of 9 September 1993 (S/26422), I had stressed that it was crucial for the successful implementation of the Cotonou agreement that sufficient resources be made available to the Trust Fund. However, despite some contributions to it, the resources provided to enable ECOMOG to meet its requirements for logistic support have been insufficient. The resulting logistic constraints have, understandably, compromised ECOMOG's efforts to deploy throughout the country as envisaged under the Cotonou agreement.

50. After protracted delays in the implementation of the agreement, the security situation in the country deteriorated last summer when fighting between the various factions intensified, resulting in the massive displacement of civilians. At that time, more than 43 UNOMIL military observers were detained and mistreated and a considerable amount of United Nations property was looted or stolen. ECOMOG troops and relief workers were also caught in the fighting and several ECOMOG soldiers were killed. It thus became necessary to reduce UNOMIL's strength and regroup the remaining personnel in the Greater Monrovia area. Today, both UNOMIL and ECOMOG remain deployed only in that area, which includes Buchanan and Kakata. Humanitarian activities have also been significantly scaled down.

51. The present mandate of UNOMIL will expire on 13 April 1995. At that time, the Security Council will have to choose between a number of options for the United Nations future political and military involvement in Liberia. The most important criterion in deciding between those options will be whether the political stalemate continues or whether the Liberian factions have finally given convincing evidence of being ready to make the compromises necessary to

rescue their country from its long ordeal. This is, of course, a situation that has faced, and continues to face, the Security Council in a number of other conflicts in Africa and elsewhere.

52. If, as is to be hoped, the parties demonstrate a clear willingness to implement the Accra agreement, the Council's options will be:

(a) To maintain UNOMIL as currently mandated under resolution 866 (1993). I would like to stress, however, that if the Accra agreement is to be implemented, it is imperative that ECOMOG be provided with the resources required to carry out its responsibilities in Liberia. If the Trust Fund does not receive the necessary contributions, other financing options may have to be considered for, if ECOMOG cannot carry out its responsibilities, then UNOMIL will be unable to fulfil its own mandate. The viability of this option would also depend on a restructuring of ECOMOG, effective enforcement of the arms embargo and more effective harmonization of the policies of the ECOWAS member States towards Liberia;

(b) To consider an enhanced role of the United Nations in Liberia through the establishment, subject to the consent of the Liberian National Transitional Government and in cooperation with ECOWAS, of a United Nations peace-keeping force to help the parties to implement all aspects of the Accra agreement. Such a force, which would be under the command and control of the United Nations, could be composed of troops provided both by the current ECOMOG contributing countries and by other Member States, as necessary to achieve an effective and balanced force.

53. If, on the other hand, the current political stalemate continues, the Council's options will be:

(a) To reduce further UNOMIL's military component and limit the Mission's mandate to the provision of good offices, until the parties clearly demonstrate the political will necessary to reactivate the peace process;

(b) To withdraw UNOMIL, a decision that would inevitably send a signal to ECOWAS and the Liberian people that the international community had given up its effort to help to find a peaceful solution to the conflict in Liberia.

54. Whichever option is chosen, the international community will need to continue to play an active role in finding ways of providing humanitarian assistance to those in need.

55. I do not expect the Security Council to pronounce itself on these options immediately. I feel however that, in view of the continuing impasse in the peace process, it is useful at this time to outline some possible courses of action, so as to give the members of the Council, ECOWAS and, above all, the Liberian parties an opportunity to reflect upon the difficult choices that have to be made before the mandate of UNOMIL expires on 13 April 1995.

Annex I

Economic Community of West African States Monitoring Group

Summary of cost estimates for a 12-month period

(In thousands of United States dollars)

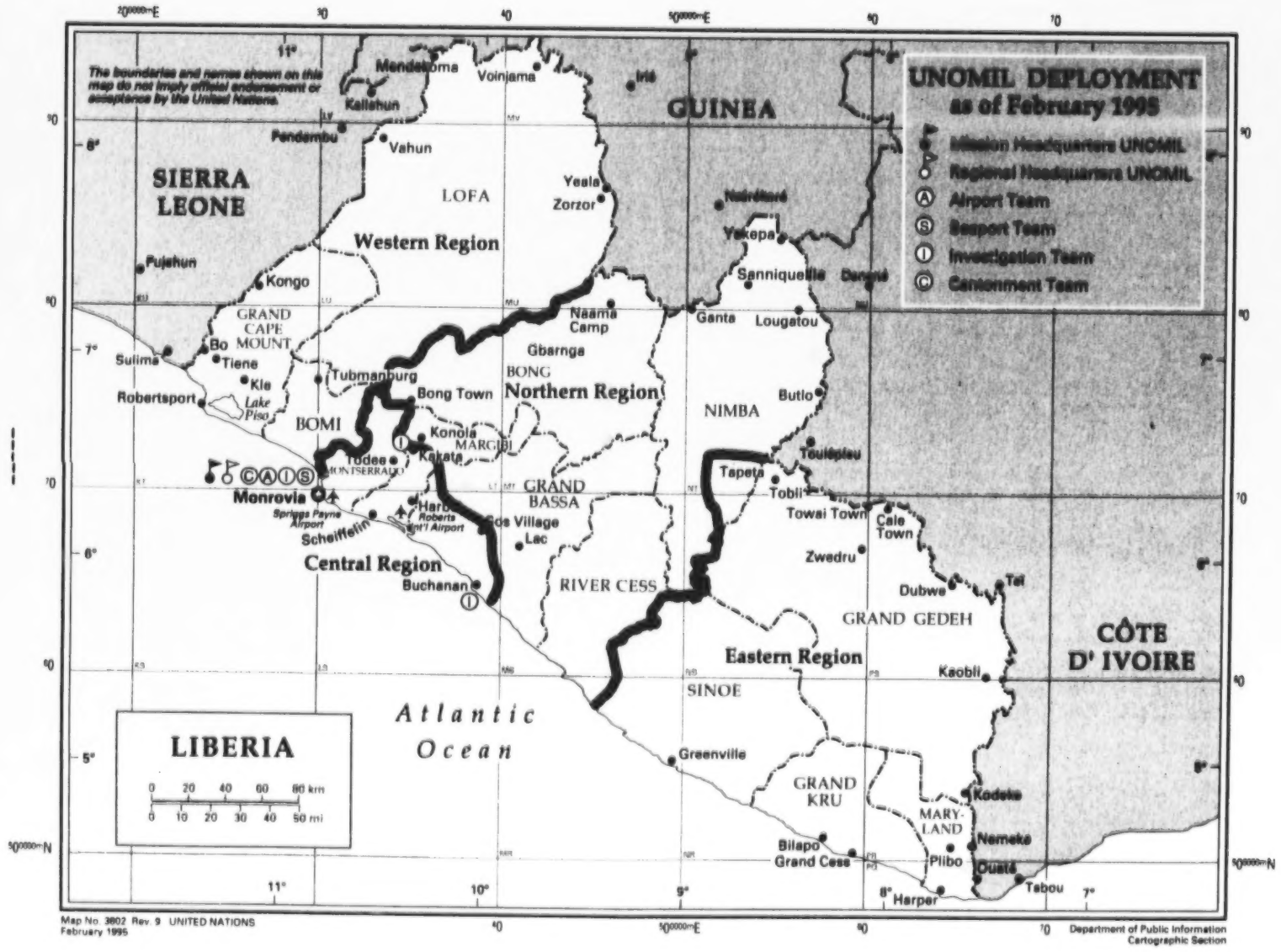
Military personnel costs	58 641.0
Premises/accommodation	2 750.0
Infrastructure repair	1 700.0
Transport operations	17 498.5
Air operations	174.0
Naval operations	563.1
Communications	3 826.1
Other equipment	2 354.9
Supplies and services	3 197.5
Total	90 705.1

Annex II

Composition of the military component of UNOMIL

February 1995

Country	Observers
Bangladesh	15
China	5
Czech Republic	6
Egypt	7
Guinea-Bissau	5
India	6
Jordan	9
Kenya	11
Malaysia	8
Pakistan	8
Uruguay	5
Total	85


The boundaries and names shown on this map do not imply official endorsement or acceptance by the United Nations.
UNOMIL DEPLOYMENT as of February 1995
Mission Headquarters UNOMIL
Regional Headquarters UNOMIL
Airport Team
Seaport Team
Investigation Team
Cantonment Team
GUINEA
SIERRA LEONE
LIBERIA
CÔTE D' IVOIRE
Atlantic Ocean
LOFA
Western Region
Northern Region
Central Region
Eastern Region
BOMI
GRAND CAPE MOUNT
BONG
NIMBA
MARGIBI
GRAND BASSA
RIVER CESS
GRAND GEDEH
SINOE
GRAND KRU
MARYLAND
Mendekoma
Voinjama
Kellahun
Pendembu
Vahun
Yeala
Zorzor
Nzérékoré
Yekepa
Sanniquellie
Danané
Pujehun
Kongo
Naama Camp
Ganta
Lougatou
Sulima
Bo
Tiene
Kle
Lake Piso
Robertsport
Tubmanburg
Gbarnga
Bong Town
Butlo
Konola
Kakata
Todee
MONTSERRADO
Tapeta
Toulépleu
Tobli
Monrovia
Sprigg Payne Airport
Harbel
Roberts Int'l Airport
Schiffelin
Gbs Village
Lac
Towai Town
Cale Town
Zwedru
Buchanan
Dubwe
Tai
Kaobli
Greenville
Kodeke
Nemeke
Bilapo
Grand Cess
Plibo
Ousté
Tabou
Harper
0 20 40 60 80 km
0 10 20 30 40 50 mi
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